

# City Council

## Regular Meeting Agenda

Monday, June 15, 2015  
7:00 p.m., Council Chambers



1. Call to Order
2. Invocation – Moment of Silence
3. Presentation of Keys to the City to Miss and Mister South Haven
4. Roll Call
5. Approval of Agenda
6. **Consent Agenda: Items A thru G (Roll Call Vote Required)**  
(All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. Unless requested by a Council Member or a citizen, there will be no separate discussion on these items. If discussion is required regarding an item, that item will be removed from the Consent Agenda and considered separately.)
  - A. Council will be requested to approve the City Council Minutes of June 1, 2015.
  - B. Bills totaling \$600,965.97 for the period ending June 14, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
  - C. Council will be asked to approve the change in MERS Employee Contribution Rate for the Police Division from 4% to 4.5%.
  - D. Council will be asked to approve motor pool purchase of two trucks and award the purchase of trucks #169 and #762 to Woodhams Ford in the total amount of \$55,311.32.
  - E. Council will be asked to award the contract for water system communication improvements to West Michigan Instrumentation Systems in the amount of \$18,200.00.
  - F. Council will be asked to approve budget adjustments for FY 2014-15.
  - G. Council will be asked to approve the following minutes:
    - 1) 03-10-2015 Parks Commission minutes;
    - 2) 04-13-2015 LFDA minutes;
    - 3) 05-07-2015 Planning Commission minutes;
    - 4) 05-12-2015 Parks Commission minutes; and
    - 5) 05-20-2015 Airport Authority minutes.

*If a member of the public wishes to address any of the following items listed on the agenda they will be given a chance to speak prior to Council discussing the item. They will be given up to 5 minutes to address their concerns.*

### OLD BUSINESS

7. Council will be asked to consider a motion to adopt the ordinance amending water and sanitary sewer rates for various components to increase by 2%.

## NEW BUSINESS

8. Council will be asked to consider the following appointments to the corresponding boards & Commissions:
  - A. Letitia Wilkins to Housing Commission for a 5 year term.
  - B. Vikke Andersen to Library Board for a 5 year term.
9. Council will be asked to consider Special Event 2015-20, Rotary Pancake Breakfast on July 5, 2015 from 6:30 a.m. to 12:30 p.m. at the Huron Street pavilion.
10. Council will be requested to approve the following agreements:
  - A. Council will be asked to consider the approval of Resolution 2015-28, a resolution approving an agreement with the Michigan Maritime Museum, for use at the 260 Dyckman Avenue location, allowing the Maritime Museum, a local nonprofit organization, to host events which include alcohol service.
  - B. Council will be asked to consider the approval of Resolution 2015-29, a resolution approving a license agreement with the South Haven Center for the Arts, for use at 523 Phoenix Street location, allowing the Center for the Arts, a local nonprofit organization, to host events which include alcohol service.
11. Council will be asked to approve Resolution 2015-30, a resolution authorizing the City of South Haven to acquire the property at 229 Elkenburg Street, commonly known as the Overton Building, through tax foreclosure from Van Buren County, and to convey the property to the city's Local Development Finance Authority (LDFA).
12. Council will be asked to approve Resolution 2015-31, a resolution amending the City's FOIA policy to be compliant with PA 563 of 2014.
13. Council will be asked to take the following actions on the city's SRF Project Plan (wastewater system improvement plan):
  - A. Council will be asked to host a public hearing and receive a presentation on the SRF Project Plan.
  - B. Council will be asked to consider approval of Resolution 2015-32, a resolution formally adopting the SRF Project Plan and implementation schedule.
14. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda  
*(You will be given up to 5 minutes to address your concerns.)*
15. City Manager's Comments

South Haven City Hall is Barrier-free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City Clerk. Individuals with disabilities requiring services should contact the City Clerk by writing or calling South Haven City Hall at (269) 637-0750.

**16. Mayor and Councilperson's Comments**

**17. Adjourn**

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "B. Dissette", written over a horizontal line.

**Brian Dissette, City Manager**

# City Council

## Regular Meeting Agenda

Monday, June 1, 2015  
7:00 p.m., Council Chambers



### 1. Call to Order by Mayor Burr at 7:00 p.m.

### 2. Invocation – Moment of Silence

### 3. Roll Call

Present: Arnold, Fitzgibbon, Gruber, Kozlik Wall, Patterson, Burr  
Absent: Klavins

Moved by Fitzgibbon to excuse Councilmember Klavins for personal reasons. Seconded by Arnold.

Voted Yes: All. Motion Carried.

### 4. Approval of Agenda

Moved by Fitzgibbon, Seconded by Gruber to approve the agenda, with the inclusion of agenda item #15A, consideration of a resolution to rescind local mechanical inspection services.

Voted Yes: All. Motion carried.

### 5. Consent Agenda: Items A thru D (Roll Call Vote Required)

Moved by Patterson, Seconded by Kozlik Wall to approve the Consent Agenda as follows:

- A. Council will be requested to approve the City Council Minutes of May 18, 2015.
- B. Bills totaling \$1,289,934.47 for the period ending May 31, 2015 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to approve a wooden memorial bench placed on Monroe Boulevard between Chestnut Street and South Haven Street in the public right-of-way on the west side of the street, in memory of Tom Watson.
- D. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
  - 1) 11-25-2014 SHARA Board approved minutes
  - 2) 03-17-2015 SHARA Board approved minutes
  - 3) 04-21-2015 Harbor Commission minutes
  - 4) 04-21-2015 Harbor Commission Workshop minutes

- 5) 04-21-2015 Liberty Hyde Bailey Board meeting minutes
- 6) 04-22-2015 Housing Commission minutes
- 7) 04-27-2015 Board of Public Utilities minutes
- 8) 04-27-2015 Zoning Board of Appeals minutes
- 9) 05-19-2015 Liberty Hyde Bailey Board meeting minutes

A Roll Call Vote was taken:

Yeas: Arnold, Fitzgibbon, Gruber, Kozlik Wall, Patterson, Burr

Nays: None

Motion Carried.

### NEW BUSINESS

**6. Council will be asked to consider the following resolutions regarding the Fiscal Year 2015-16 Budget:**

- A. Resolution 2015-21: A Resolution adopting the 2015-16 Fiscal Year for Component Unit Funds of the City of South Haven, Michigan.**
- B. Resolution 2015-22: A Resolution adopting the 2015-16 Fiscal Year Budget for Enterprise and Internal Service Funds of the City of South Haven, Michigan.**
- C. Resolution 2015-23: A Resolution adopting the 2015-16 Fiscal Year Budget for General, Special Revenue, Debt Service, Capital Projects and Fiduciary Funds of the City of South Haven, Michigan.**
- D. Resolution 2015-24: A Resolution setting the 2015 Property Tax Millage.**

*Background Information:*

The City Council will be asked to consider the adoption of the Fiscal Year 2015-16 Budget, as part of tonight's City Council meeting.

The budget process begins in earnest in January with department heads preparing budget concerns and requests for the City Manager's review. The Finance Department compiles and reviews these requests. As staff works through the various budget projections, a series of reports are distributed for the City Council's review. This year workshop sessions were held by the City Council to make sure the budget is reflecting the adopted policy priorities of City Council.

The manager's proposed budget for 2015-16 is complete and is now presented to the City Council for consideration. It is available for the public to review, and can be downloaded from the city's website at [www.south-haven.com](http://www.south-haven.com) or can be obtained in print form at City Hall.

The City Charter requires a public hearing on the proposed budget, which was conducted at the May 18<sup>th</sup> regular meeting of the City Council. The City Charter requires adoption of a budget to occur at the first council meeting in June. For tonight's meeting, the City Council is requested to adopt the attached budget document for the Fiscal Year 2015-16.

Public Comment:

Enriqueta Turanzas wanted to know where she could view the budget and was advised by the Mayor that it was on the website.

**Item A: Council will be asked to approve Resolution 2015-21: A Resolution adopting the 2015-16 Fiscal Year for Component Unit Funds of the City of South Haven, Michigan.**

Moved by Gruber, Seconded by Fitzgibbon to approve Resolution 2015-21: A Resolution adopting the 2015-16 Fiscal Year for Component Unit Funds of the City of South Haven, Michigan.

Voted Yes: All. Motion Carried.

**Item B: Council will be asked to approve Resolution 2015-22: A Resolution adopting the 2015-16 Fiscal Year Budget for Enterprise and Internal Service Funds of the City of South Haven, Michigan.**

Moved by Patterson, Seconded by Fitzgibbon to approve Resolution 2015-22: A Resolution adopting the 2015-16 Fiscal Year for Enterprise and Internal Service Funds of the City of South Haven, Michigan.

Voted Yes: All. Motion Carried.

**Item C: Council will be asked to approve Resolution 2015-23: A Resolution adopting the 2015-16 Fiscal Year Budget for General, Special Revenue, Debt Service, Capital Projects and Fiduciary Funds of the City of South Haven, Michigan.**

Moved by Fitzgibbon, Seconded by Patterson to approve Resolution 2015-23: A Resolution adopting the 2015-16 Fiscal Year for General, Special Revenue, Debt Service, Capital Projects and Fiduciary Funds of the City of South Haven, Michigan.

Voted Yes: All. Motion Carried.

**Item D: Council will be asked to approve Resolution 2015-24: A Resolution setting the 2015 Property Tax Millage.**

Moved by Patterson, Seconded by Fitzgibbon to approve Resolution 2015-24: A Resolution setting the 2015 Property Tax Millage.

Voted Yes: All. Motion Carried.

**7. Council will be asked to introduce an ordinance amending water and sanitary sewer rates for various components to increase by 2%.**

*Background Information:*

During this year's rate setting process, the Board of Public Utilities (BPU) approved an increase of 2% for the various components of the water and sanitary sewer utility rates.

The BPU recommendation for possible changes to the electric utility rates will be forthcoming during the month of July, 2015. As a result, the utility bill comparisons will reflect the adopted 2014 electric rates. The average utility customer will see an increase in their monthly utility bill of approximately \$2.05.

Please review the attached Utility Bill Comparison report based on the average residential utility customer.

Moved by Fitzgibbon, Seconded by Kozlik Wall to approve an ordinance amending water and sanitary sewer rates for various components to increase by 2%.

Voted Yes: All. Motion Carried.

- 8. Council will be asked to approve Resolution 2015-25, a resolution amending the daily parking fee to \$9.00 and adding a third tier penalty for unpaid parking tickets to increase to \$60 if not paid after 60 days.**

*Background Information:*

The City Council will be asked to consider approval of Resolution 2015-25, a resolution setting updated fees for the daily beach parking fees and parking violation fees, for the city's beach parking areas.

The City of South Haven created the beach parking fee system in 1986, in an effort to provide funds to help offset the cost of maintaining the public beaches and adjacent parks. In 1996, the City Council approved an increase in the daily beach parking fee from \$3.00 per day to \$5.00 per day. In 2013, City Council approved an increase in the daily beach parking fee from \$5.00 to \$7.00 per day. For the 2015 beach parking season, the City Council is being asked to consider an additional increase from \$7.00 per day to \$9.00 per day.

In the past several years, the City of South Haven has invested in a variety of improvements and maintenance expenses to its public beaches and adjacent parks. The beach parking fund has been essential in funding some of these expenses. As a result, the beach parking fund has experienced deficit spending during the past several years, and an effort to correct the deficit position seems appropriate. An increase in revenue to the beach parking fund will assist in eliminating the deficit position, and will create funds which can be used for investment in the beaches and adjacent parks.

The city's staff has reviewed the city's beach parking fees, and compared the existing fees to communities along Lake Michigan. Staff found that the city's existing fee is not competitive with many of those communities with the current price of \$7.00. Further, should the City Council wish to increase the beach parking fee, staff has found that an increase from \$7.00 per day to \$9.00 per day mirrors the fee charged by the State of Michigan for access to the state's lake front parks.

Staff recommends that the City Council consider an increase from \$7.00 per day to \$9.00 per day, for the daily beach parking fee. This increase should result in an increase in beach parking revenue. Additionally, staff recommends that the City Council add a third tier to the beach parking violation fees for unpaid tickets to increase the ticket fee to \$60.00 if not paid after 60 days. Unpaid parking tickets are the exception rather than the rule, however adding a third tier penalty should mitigate the costs associated with the fine collection.

Currently the beach parking fees are as follows:

- a) Daily Parking Fees - \$7.00 per trip
- b) Hourly Metered Parking - \$1.00 per hour
- c) Weekly Parking Pass - \$15.00 per week
- d) Multi-Year Pass- \$50 first year, \$40, second year, \$30 third year

Currently the beach parking violation fees are set as follows:

\$20.00 if paid within seven (7) days  
\$30.00 if paid after seven (7) days

Public Comment:

Bruce Thatcher, was against raising the daily parking fee saying that increased prices will cause tourism to suffer.

Moved by Fitzgibbon, Seconded by Patterson to approve Resolution 2015-25, a resolution amending the daily parking fee to \$9.00 and adding a third tier penalty for unpaid parking tickets to increase to \$60 if not paid after 60 days.

Voted Yes: All. Motion Carried.

**9. Council will be asked to approve an appointment to the Airport Authority, Ross Woodhams, for a four year term.**

Moved by Fitzgibbon, Seconded by Kozlik Wall to approve an appointment to the Airport Authority, Ross Woodhams, for a four year term.

Voted Yes: All. Motion Carried.

**10. Council will be asked to approve the following special event applications:**

- A. Council will be asked to consider Special Event 2015-14, Festival of Trees on November 6<sup>th</sup> through December 8, 2015 with various hours.**
- B. Council will be asked to consider Special Event 2015-15, Gospel Jamboree on June 19, 2015 from noon to 10:00 p.m.**
- C. Council will be asked to consider Special Event 2015-16, Fourth of July Parade, on July 4, 2015 at 11:00 a.m. (streets closed at 10:30 a.m.).**
- D. Council will be asked to consider Special Event 2015-17, Film (The Weak Force) on June 12-15, 2015, on Clinton Street and Monroe Boulevard for film production.**
- E. Council will be asked to consider Special Event 2015-18, 4<sup>th</sup> Annual Salute to Veterans on August 2, 2015 from 6:00 a.m. to 12:00 p.m. down the channel.**

**F. Council will be asked to consider the summer events at Liberty Hyde Bailey Museum in Special Event 2015-19.**

**Item A:**

*Background Information:*

This is an 8 day fundraising event put on by We Care I.N.C. to raise money for their operating fund. This event promotes local businesses and community by providing an event to celebrate the holidays for families of all income levels. To kick off this event there will be a Santa's Coming to Town festival and parade.

Moved by Kozlik Wall, Seconded by Fitzgibbon to approve Special Event 2015-14, Festival of Trees during November 6 through December 8, 2015 with various hours.

Voted Yes: All. Motion Carried.

**Item B:**

*Background Information:*

Unity in Our Communities will be hosting a Gospel Jamboree at Elkenburg Park on July 19, 2015 from noon to 10:00 p.m. This event includes food, fun and fellowship for communities. The event is open to the public for anyone wanting to attend.

Ursula Brown, Director of Unity in Our Community, spoke briefly on the event.

Moved by Patterson, Seconded by Gruber to approve Special Event 2015-15, Gospel Jamboree on July 19, 2015 from noon to 10:00 p.m. at Elkenburg Park.

Voted Yes: All. Motion Carried.

**Item C:**

*Background Information:*

This year the Rotary Club of South Haven is sponsoring the parade which is scheduled for July 4th, 2015. The streets will closed at 10:30 a.m. with the parade starting at 11:00 a.m. The parade route is identified on the event application.

Moved by Fitzgibbon, Seconded by Kozlik Wall to approve Special Event 2015-16, Fourth of July Parade on July 4, 2015 at 11:00 a.m. (with streets to close at 10:30 a.m.)

Voted Yes: All. Motion Carried.

**Item D:**

*Background Information:*

Crinoid Films and Lake Effect Pictures would like to use Clinton Street and Monroe Blvd from June 12-15 for film production. Cast and crew will be working on benches on Monroe Blvd and using sidewalks and parking on Clinton Street between Monroe and St. Joseph Street.

Peter Hoopes, the director and city resident, spoke briefly on this event.

Moved by Fitzgibbon, Seconded by Patterson to approve Special Event 2015-17, Film (The Weak Force) on June 12-15, 2015, on Clinton Street and Monroe Boulevard for film production.

Voted Yes: All. Motion Carried.

**Item E:**

*Background Information:*

On August 22, 2015, 20 boats will take 40 combat veterans out on Lake Michigan at 6:00 am and fish until 11:30 am. U.S. Coast Guard will meet up with the boats ½ mile off shore and lead parade at 12:00 pm down the channel. Bystanders will observe from both piers. A luncheon will be held at the American Legion for the veterans and boat crews.

Bruce Thatcher, event organizer, spoke briefly on the event and about his organization, Operation Injured Soldier.

Moved by Kozlik Wall, Seconded by Patterson to approve Special Event 2015-18, 4<sup>th</sup> Annual Salute to Veterans on August 22, 2015 from 6:00 a.m. to 12:00 p.m. down the channel.

Voted Yes: All. Motion Carried.

**Item F:**

*Background Information:*

The Liberty Hyde Bailey Museum (LHBM) has several events in 2015 which need approval. The approval process aligns with the operating agreement between the city and the LHBM board, which was approved by the City Council at the December 15, 2014 regular meeting. That agreement allows the LHBM board greater flexibility in managing events and fundraising efforts at the museum campus, but requires the City Council's prior approval.

The proposed events are as follows:

- May 29<sup>th</sup> – Art Show Opening
- June 18<sup>th</sup> – Monarch Butterflies Presentation
- June 28<sup>th</sup> – Member Social
- July 17<sup>th</sup> – Exhibit Opening – The Holy Earth
- August 23<sup>rd</sup> – Member Social

Anne Long, Chair of the Liberty Hyde Bailey Museum Board, spoke briefly on this event.

Moved by Gruber, Seconded by Kozlik Wall to approve the summer events at Liberty Hyde Bailey Museum in Special Event 2015-19.

Voted Yes: All. Motion Carried.

- 11. Council will be asked to approve a Public Property Sign Request from SHOUT. SHOUT is requesting permission to place a 12' x 12' canopy on the lawn at Dyckman Park to sell cottage walk tickets on Saturday, June 6, from 8:00 a.m. to 5:00 p.m.**

*Background Information:*

The SHOUT organization is requesting permission to place a 12' x 12' canopy on the lawn at Dyckman Park for the purpose of selling tickets for the Cottage Walk fundraiser. The canopy will be located just northeast of the clock along Phoenix Street. The sale is to take place on Saturday, June 6 from 8:00 a.m. to 5:00 p.m. only. This is the second year for this request.

Moved by Fitzgibbon, Seconded by Kozlik Wall to approve a Public Property Sign Request from SHOUT to place a 12' x 12' canopy on the lawn at Dyckman Park on Saturday, June 6, from 8:00 a.m. to 5:00 p.m.

Voted Yes: All. Motion Carried.

- 12. Council will be asked to approve a request from the Factory Condominium Association to amend the approved planned unit development (PUD) to allow the demolition of the former health club on the condominium property.**

*Background Information:*

This is a request from the Factory Condominium Association, 125 Elkenburg Street, and the City of South Haven to amend the approved planned unit development (PUD) to allow demolition of the former health club on the condominium property.

Moved by Patterson, Seconded by Arnold to approve a request from the Factory Condominium Association to amend the approved planned unit development (PUD) to allow the demolition of the former health club on the condominium property.

Voted Yes: All. Motion Carried.

- 13. Council will be asked to renew a lease agreement for 720 LaGrange Street to Frost Law Office.**

*Background Information:*

The City Council will be asked to consider approval of a lease agreement renewal with Frost Law Office PLC, for the use of the Michigan State Police Post, located at 720 LaGrange Street.

The South Haven Michigan State Police Post was closed for operation by the State of Michigan. At that time the ownership of the building at 720 LaGrange Street reverted from the State of Michigan to the City of South Haven. In the past years, the city has made improvements to the building (e.g., painting, cleaning, updating the wiring,) which allowed the South Haven Police Department to temporarily operate from the building, while the Police/Fire Complex was rebuilt. Over the past year, Mr. John Frost, Frost Law PLC, has leased the building for his law office.

Mr. Frost has expressed interest in potentially purchasing the building, to be used as office space for the law office. At this time, the city cannot sell the site due to title issues. The city

holds title to a portion of the overall site, with the State of Michigan still holding title to the back parking lot and storage building. Should the city acquire title to the full site, Frost may have an interest in purchasing the overall site.

The lease agreement renewal is a two year agreement, and has a monthly cost of \$850. Frost has agreed to increase the monthly lease cost from \$800 to \$850. The lease allows for annual renewals, but cannot extend beyond five years. The lease agreement does require the city to provide water, sewer, electric, and gas utilities. During the past twelve months, the monthly average utility expense has been approximately \$249. The tenant shall provide telephone and other communications and data services. The tenant shall be responsible for all exterior and interior maintenance and repairs. The agreement allows the tenant to deduct the costs of any repairs (but not maintenance) it makes to the premises from monthly rent; provided that the tenant submits paid invoices or documentation to the city. Any repairs which exceed \$500 must be approved in advance by the city.

The lease agreement renewal requires the tenant to obtain and maintain a general liability insurance policy, with a minimum of \$1,000,000 per occurrence, for the building, which holds the city as an additionally insured.

Staff recommends the City Council consider renewal of the lease agreement as presented.

Moved by Gruber, Seconded by Fitzgibbon to renew a lease agreement for 720 LaGrange Street to Frost Law Office.

Voted Yes: All. Motion Carried.

**14. Council will be asked to consider the following actions regarding Michigan State Housing Development Authority's grant programs:**

- A. Approve Smith Housing Consulting's proposal as the Third Party Administrator for the purpose of application and administration of MSHDA grants for Homeowner Rehabilitation, Homebuyer Purchase Rehabilitation, and Downtown Rental Rehabilitation programs.**
- B. Approve Resolution 2015-26, a resolution to authorize the preparation of an application for funding through the MSHDA Housing Resource Fund for the Downtown Rental Rehabilitation (DRR) program.**

*Background Information:*

The City Council will be asked to consider approval of two items:

- 1) Smith Housing Consulting proposal for professional assistance in applying for and administering Michigan State Housing Development Authority (MSHDA) Office of Community Development grants for Homeowner Rehabilitation (HO); Homebuyer Purchase Rehabilitation (HPR); and Downtown Rental Rehabilitation (DRR).
- 2) A resolution supporting an application for Downtown Rental Rehabilitation fund for rehabilitation of second-story residential units in the downtown.

The City has met publishing requirements for an RFP seeking interested consultants to submit proposals for applying and administering specific MSHDA grants including:

Homeowner Rehabilitation; Homebuyer Purchase Rehabilitation; and Downtown Rental Rehabilitation. Smith Housing Consulting has met the submission requirements and meets and/or exceeds the qualifications for selection. Ms. Smith, owner of Smith Housing Consulting, has vested time and effort in the community per her previous three-year contract. She has worked, and will continue to work, with downtown property owners to encourage second-story apartment rehabilitation.

Following approval of the TPA contract, City Council will be asked to pass a resolution to authorize preparation of an application for second-story residential units in the downtown. The owners of the building at 528 Phoenix St intend to develop one (1) new loft apartment which has private parking. The owners of the building at 519 Phoenix St intend to rehabilitate an existing apartment.

**Item A:**

Moved by Patterson, Seconded by Kozlik Wall to approve Smith Housing Consulting's proposal as the Third Party Administrator for the purpose of application and administration of MSHDA grants for Homeowner Rehabilitation, Homebuyer Purchase Rehabilitation, and Downtown Rental Rehabilitation programs.

Voted Yes: All. Motion Carried.

**Item B:**

Moved by Fitzgibbon, Seconded by Kozlik Wall to approve a resolution to authorize the preparation of an application for funding through the MSHDA Housing Resource Fund for the Downtown Rental Rehabilitation (DRR) program.

Voted Yes: All. Motion Carried.

**15.**

**A. Motion by Council to approve Resolution 2015-27, a resolution rescinding mechanical engineering services.**

*Background Information:*

The Building Department staff was informed that our contracted mechanical inspector became ill over the weekend. It is unknown at this time when or if he will be able to return to work. He does not have an alternate inspector for the South Haven area. Since we are approaching the busiest season for construction permits and inspections, we need to have a mechanical inspector available to us as soon as possible. Staff is now looking at the alternative of having the state construction bureau take over the mechanical permitting and inspection responsibilities. When the state assumes responsibilities for mechanical permits and inspections, permit applications are sent directly to the local state office. There will be no cost to the city nor will the city receive any portion of the permit fees. The city uses this system currently for plumbing permits and it appears to work well.

Linda Anderson, Building Administrator, spoke briefly on this resolution.

**Public Comment:**

Enriqueta Turanzas wanted the position to be posted so that local qualified mechanical engineers could apply for the position.

Moved by Fitzgibbon, Seconded by Gruber to approve Resolution 2015-27, a resolution rescinding mechanical engineering services.

Voted Yes: All. Motion Carried.

**B. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**

No public comment at this time.

**16. City Manager's Comments**

No comment.

**17. Mayor and Councilperson's Comments**

Arnold: Forming the year's budget took several sessions even though it appeared to be quickly decided upon in one city council meeting. He assures constituents that several hours in workshops have been spent going over the budget.

Fitzgibbon: Thanks the organizers of Gospel Jamboree for hosting in our community. Also advises that groups need to have special event application so that adequate services provided for those events.

Gruber: Letters have been sent out to homeowners about mowing their lawns. He would like to see the process improved this summer so that the City is not in the business of mowing lawns for residents. Also, brown water concerns – we've generated 30% new water in the last week or so, due to seasonal influx of more people in our area. City Manager said the city is actively monitoring the issue and if there is an issue, to call the Water Filtration Plant. The city will be flushing hydrants to move old water in pipes.

Klavins: Absent

Kozlik Wall: Farmer's Market is booming and fantastic attendance by the public. It will be moved to Dyckman Park for this upcoming Saturday, June 6, as the Car Show will be under the pavilion.

Patterson: Congratulations to graduates for a job well done.

Burr: This is the season for fireworks and the Mayor will be around town seeking donations for the fireworks grand finale. Also, 'Alaska is a Drag' begins filming tomorrow for the next 3 weeks.

**18. Adjourn**

Moved by Patterson, Seconded by Kozlik Wall to adjourn the meeting at 7:57 p.m.

Voted Yes: All. Motion Carried.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Kate Hosier". The signature is written in a cursive, flowing style.

Kate Hosier  
Deputy City Clerk  
City of South Haven

Approved by City Council: **DRAFT**

**CITY OF SOUTH HAVEN****June 15, 2015**

	<b>PREPAID</b>	<b>CURRENT</b>	<b>TOTAL</b>
<b>101-GENERAL FUND</b>	<b>\$ 23,357.36</b>	<b>\$ 95,484.41</b>	<b>\$ 118,841.77</b>
<b>202-MAJOR STREET FUND</b>	<b>\$ -</b>	<b>\$ 4,818.54</b>	<b>\$ 4,818.54</b>
<b>203-LOCAL STREET FUND</b>	<b>\$ -</b>	<b>\$ 3,734.10</b>	<b>\$ 3,734.10</b>
<b>204-STREET FUND</b>	<b>\$ 70.03</b>	<b>\$ 20,784.36</b>	<b>\$ 20,854.39</b>
<b>226-GARBAGE/REFUSE FUND</b>	<b>\$ -</b>	<b>\$ 34,104.78</b>	<b>\$ 34,104.78</b>
<b>250-DOWNTOWN DEVELOPMENT</b>	<b>\$ 11.25</b>	<b>\$ 50,844.87</b>	<b>\$ 50,856.12</b>
<b>251-LDFA #1</b>	<b>\$ -</b>	<b>\$ 52.73</b>	<b>\$ 52.73</b>
<b>252- LDFA #2</b>	<b>\$ -</b>	<b>\$ 58.00</b>	<b>\$ 58.00</b>
<b>253-LDFA #3</b>	<b>\$ -</b>	<b>\$ 65.03</b>	<b>\$ 65.03</b>
<b>260-BROWNFIELD AUTHORITY</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>265-NARCOTICS UNIT</b>	<b>\$ -</b>	<b>\$ 3,409.04</b>	<b>\$ 3,409.04</b>
<b>266-POLICE TRAINING</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>296-RIVER MAINTENANCE</b>	<b>\$ -</b>	<b>\$ 2,000.00</b>	<b>\$ 2,000.00</b>
<b>363- CAPITAL BOND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>370- BUILDING AUTHORITY #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>371-CAPITAL BOND DEBT SERV</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>372-WATER PLANT FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>395-DDA DEBT SERVICE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>396- DDA DISTRICT #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>401-CAPITAL PROJECTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>402-CAPITAL PROJECTS #2</b>	<b>\$ -</b>	<b>\$ 70,278.77</b>	<b>\$ 70,278.77</b>
<b>466- PAVILION AND ICE RINK</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>545-BLACK RIVER PARK</b>	<b>\$ 2,196.76</b>	<b>\$ 289.13</b>	<b>\$ 2,485.89</b>
<b>577-BEACH FUND</b>	<b>\$ 474.74</b>	<b>\$ 736.88</b>	<b>\$ 1,211.62</b>
<b>582-ELECTRIC FUND</b>	<b>\$ 7,961.90</b>	<b>\$ 39,732.07</b>	<b>\$ 47,693.97</b>
<b>591-WATER FUND</b>	<b>\$ 39,517.89</b>	<b>\$ 58,194.65</b>	<b>\$ 97,712.54</b>
<b>592-SEWER FUND</b>	<b>\$ 52,508.19</b>	<b>\$ 51,448.76</b>	<b>\$ 103,956.95</b>
<b>594-MUNICIPAL MARINA</b>	<b>\$ 22,126.69</b>	<b>\$ 3,061.82</b>	<b>\$ 25,188.51</b>
<b>636-INFORMATION SERVICES</b>	<b>\$ 690.00</b>	<b>\$ 2,068.88</b>	<b>\$ 2,758.88</b>
<b>661-MOTOR POOL</b>	<b>\$ 1,038.47</b>	<b>\$ 8,745.87</b>	<b>\$ 9,784.34</b>
<b>677-SELF INSURANCE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>703-TAX FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>718-TRUST &amp; AGENCY</b>	<b>\$ 1,100.00</b>	<b>\$ -</b>	<b>\$ 1,100.00</b>
<b>750-EMPLOYEE WITHHOLDING</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL</b>	<b>\$ 151,053.28</b>	<b>\$ 449,912.69</b>	<b>\$ 600,965.97</b>

Check Date	Check	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK				
06/01/2015	51118	APPRAISALS PLUS GROUP, INC.	ASSESSING SERVICES	3,500.00
06/01/2015	51119	ATKINSON, ANITRIUS R	UB refund for account: 31087002	110.28
06/01/2015	51120	BRP BY BISON	REPLACEMENT BLAIR BENCH 30% DOWN	388.50
06/01/2015	51121	BS&A SOFTWARE INC	TRAINING FOR LULL & SMITH ON PR PROGRAM	410.00
06/01/2015	51122	BURROWS, CYNTHIA L	UB deposit refund for account: 21030002	280.00
06/01/2015	51123	BURROWS, WILLIAM T	UB deposit refund for account: 21028001	410.00
06/01/2015	51124	CALHOUN, ROBERT	UB refund for account: 21230301	342.18
06/01/2015	51125	CALVIN, DAVID A	UB refund for account: 41516302	160.71
06/01/2015	51126	COMCAST	INTERNET SERVICE	59.70
06/01/2015	51127	CONSUMERS ENERGY	ELECTRIC 1000 1414 0337	87.95
			ELECTRIC 1000 1414 0840	36.64
				<u>124.59</u>
06/01/2015	51128	D & S REAL ESTATE MGT LLC	UB refund for account: 41154007	371.58
06/01/2015	51129	DALE CLAYTON	REIMB FOR MILEAGE	69.00
06/01/2015	51130	DOMESTIC LINEN-KALAMAZOO	CITY HALL RENTALS 4-29 TO 5-27	476.80
06/01/2015	51131	DOMESTIC LINEN-KALAMAZOO	RENTALS	1,573.78
06/01/2015	51132	DUDA, JOHN J	UB refund for account: 40147006	262.20
06/01/2015	51133	EDWARD SKJORDAL	RIVERFRONT CONCERT SERIES	300.00
06/01/2015	51134	FIRST CONGREGATIONAL CHURCH	UB refund for account: 40430000	412.36
06/01/2015	51135	FRENCH, BARRY M & KATHY R	UB refund for account: 40103000	273.89
06/01/2015	51136	FRITZ, SUE R	UB refund for account: 40124002	1,078.51
06/01/2015	51137	FRONTIER	TELEPHONE 269-637-7466-021392-5	465.82
			TELEPHONE 269-637-3649-041905-5	48.23
			TELEPHONE 269-637-7926-011395-5	33.84
				<u>547.89</u>
06/01/2015	51138	FUEL MANAGEMENT SYSTEM	FUEL	5,621.52
06/01/2015	51139	HACH COMPANY	LAB SUPPLIES	48.49
06/01/2015	51140	HAPA LLC	PAYROLL REIMB FOR MARINA	5,807.90
			REIMB FOR PAYROLL & SUPPLIES FOR MARINA	5,069.11
				<u>10,877.01</u>
06/01/2015	51141	HULL LIFT TRUCK INC	PARTS	35.45
06/01/2015	51142	IRVINE, TERRENCE M	UB refund for account: 40273002	289.69
06/01/2015	51143	IRWIN, LINDA M	UB refund for account: 30714014	93.27
06/01/2015	51144	JARED KNOX	REIMB FOR MILEAGE	48.30
06/01/2015	51145	KEEBLER, DEBBIE	UB refund for account: 40170000	193.96
06/01/2015	51146	MARTELLI, MARGARET S	UB refund for account: 10770303	557.13
06/01/2015	51147	MENARDS	MAINTENANCE SUPPLIES	52.28
			MAINTENANCE SUPPLIES	31.14
			MAINTENANCE SUPPLIES	18.15
			MAINTENANCE SUPPLIES	20.86
			MAINTENANCE SUPPLIES	124.12
			MAINTENANCE SUPPLIES	27.99
			MAINTENANCE SUPPLIES	399.00
			MAINTENANCE SUPPLIES	44.22
			MAINTENANCE SUPPLIES	29.94
			MAINTENANCE SUPPLIES	27.22
			MAINTENANCE SUPPLIES	41.88
			MAINTENANCE SUPPLIES	68.90
			MAINTENANCE SUPPLIES	48.79

Check Date	Check	Vendor Name	Description	Amount
			MAINTENANCE SUPPLIES	84.26
			MAINTENANCE SUPPLIES	51.98
			MAINTENANCE SUPPLIES	29.67
			MAINTENANCE SUPPLIES	15.98
			MAINTENANCE SUPPLIES	7.76
			MAINTENANCE SUPPLIES	43.43
			MAINTENANCE SUPPLIES	38.88
			MAINTENANCE SUPPLIES	3.72
			MAINTENANCE SUPPLIES	13.80
				<u>1,223.97</u>
06/01/2015	51148	OGREN, ROBERT	UB refund for account: 41589000	177.09
06/01/2015	51149	OLNEY, JEFF	UB refund for account: 40393001	102.92
06/01/2015	51150	OVNIK, JILL	UB refund for account: 41199001	211.26
06/01/2015	51151	PHYSIO-CONTROL INC	AED TRAINERS FOR PD & FD	588.20
06/01/2015	51152	PLUMBER'S PORTABLE TOILETS	RENTALS	140.00
06/01/2015	51153	RIDLEY, SHELLY	UB refund for account: 40177001	175.55
06/01/2015	51154	RUSSELL, RAYMOND	UB refund for account: 40169000	205.14
06/01/2015	51155	SANKOFSKI, RACHEL M	UB refund for account: 40315002	364.08
06/01/2015	51156	SILVERMAN, ALAN H	UB refund for account: 40629000	283.11
06/01/2015	51157	SONNENBERG, DONALD & TERRY	UB refund for account: 40040000	384.24
06/01/2015	51158	SONNTAG, SUSAN M	UB refund for account: 40318001	110.73
06/01/2015	51159	STAPLES ADVANTAGE	SUPPLIES	321.84
06/01/2015	51160	STATE OF MICHIGAN	ADDITIONAL SALES TAX DUE FOR JAN 2015	77.74
06/01/2015	51161	SUAN HARRISON	RIVERFRONT CONCERT SERIES	500.00
06/01/2015	51162	WENDY HOCHSTEDLER	MILEAGE REIMB FOR CPA EVENT	148.00
06/01/2015	51163	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	7.79
			MAINTENANCE SUPPLIES	11.25
			MAINTENANCE SUPPLIES	16.14
			MAINTENANCE SUPPLIES	7.79
			MAINTENANCE SUPPLIES	7.49
			MAINTENANCE SUPPLIES	15.07
			MAINTENANCE SUPPLIES	3.49
			MAINTENANCE SUPPLIES	31.49
			MAINTENANCE SUPPLIES	3.98
			MAINTENANCE SUPPLIES	2.79
			MAINTENANCE SUPPLIES	8.99
			MAINTENANCE SUPPLIES	7.07
			MAINTENANCE SUPPLIES	14.43
			MAINTENANCE SUPPLIES3	3.08
			MAINTENANCE SUPPLIES	94.10
			MAINTENANCE SUPPLIES	84.63
			MAINTENANCE SUPPLIES	8.94
			MAINTENANCE SUPPLIES	1.49
			MAINTENANCE SUPPLIES	10.43
			MAINTENANCE SUPPLIES	45.48
			MAINTENANCE SUPPLIES	30.56
			MAINTENANCE SUPPLIES	4.59
			MAINTENANCE SUPPLIES	21.87
			MAINTENANCE SUPPLIES	2.98
			MAINTENANCE SUPPLIES	16.00
			MAINTENANCE SUPPLIES	4.49
			MAINTENANCE SUPPLIES	14.97
			MAINTENANCE SUPPLIES	33.90
			MAINTENANCE SUPPLIES	39.99
			MAINTENANCE SUPPLIES	2.29
			MAINTENANCE SUPPLIES	62.40
			MAINTENANCE SUPPLIES	51.54
			MAINTENANCE SUPPLIES	34.92

Check Date	Check	Vendor Name	Description	Amount
			MAINTENANCE SUPPLIES	7.45
			MAINTENANCE SUPPLIES	1.99
			MAINTENANCE SUPPLIES	10.99
			MAINTENANCE SUPPLIES	4.97
			MAINTENANCE SUPPLIES	4.47
			MAINTENANCE SUPPLIES	23.33
			MAINTENANCE SUPPLIES	51.97
			MAINTENANCE SUPPLIES	24.48
			MAINTENANCE SUPPLIES	17.45
			MAINTENANCE SUPPLIES	10.43
			MAINTENANCE SUPPLIES	15.99
			MAINTENANCE SUPPLIES	9.53
			MAINTENANCE SUPPLIES	57.30
			MAINTENANCE SUPPLIES	24.02
			MAINTENANCE SUPPLIES	12.92
			MAINTENANCE SUPPLIES	75.98
				<u>1,059.69</u>
06/05/2015	51164	COTTAGE HOMES	ELECTRIC REBATE - YR 1 ON 99 CHICAGO DR	245.56
06/05/2015	51165	FUEL MANAGEMENT SYSTEM	FUEL	4,610.19
06/05/2015	51166	HAPA LLC	MARINA MANAGER	5,445.74
			MARINA MANAGER	5,445.74
				<u>10,891.48</u>
06/05/2015	51167	HERALD PALLADIUM	PRINTING & PUBLISHING	2,529.14
06/05/2015	51168	INDIANA MICHIGAN POWER	COVERT ELECTRIC 044-832-292-1-9	42.34
			COVERT ELECTRIC 040-008-013-1-8	26.74
				<u>69.08</u>
06/05/2015	51169	LARRY HALBERSTADT	TRAINING REIMBURSEMENT	54.95
06/05/2015	51170	MIKE GAVIN	REFUND SEASONAL FEE FOR BRP #51	1,870.00
06/05/2015	51171	PHOENIX STREET CAFE	ELECTION REFRESHMENTS	120.00
06/05/2015	51172	ROBIN ABSHIRE	2015 SEASON BUOY PLACEMENT	279.00
06/05/2015	51173	SHAUN EISNER	CDL REQUIREMENT REIMB	887.99
06/05/2015	51174	SOUTH HAVEN AREA CHAMBER	FARMERS MARKET MANAGEMENT	6,250.00
06/05/2015	51175	SOUTH HAVEN/CASCO	MONTHLY REU O & M CHARGES	9,449.97
			MONTHLY REU DEBT CHARGES	77,906.94
				<u>87,356.91</u>
06/05/2015	51176	UPS STORE #5080	SHIPPING FEE - MULAC	48.37
			SHIPPING FEE - DISSETTE	9.72
				<u>58.09</u>
06/05/2015	51177	WENDY HOCHSTEDLER	TRAINING REIMBURSEMENT	150.54
06/05/2015	51178	WINKEL'S COMMUNICATION INC	RADIO SYSTEM MAINT MAR - APR 15	390.00
06/11/2015	51179	DAVID YOUNGMAN	RIVERFRONT CONCERT SERIES	300.00

1 TOTALS:

Total of 62 Checks:	151,053.28
Less 0 Void Checks:	0.00
Total of 62 Disbursements:	<u>151,053.28</u>

Check Date	Check	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK				
06/16/2015	51180	50'S DRIVE IN INC	UB deposit refund for account: 10705002	2,125.00
06/16/2015	51181	ABONMARCHE CONSULTANTS INC	MAINTENANCE DREDGING PERMIT SERVICES	2,000.00
			BAARS BLDG DEMOLITION/REDEVELPMENT	1,000.00
			ST JOSEPH ELECTRIC PROJECT	4,000.00
			SAW GRANT-ASSET MANAGEMENT PLANS	32,828.41
			NORTH SHORE DRIVE RECONSTRUCTION	1,532.61
			INDIAN GROVE LS & MONROE BLVD	1,100.00
			INDIAN GROVE LS & MONROE BLVD	3,892.50
			MAIN PUMP STATION CONSOLIDATION	587.50
			ABELL AVE RECONSTRUCTION	4,900.00
			LYON ST RECONSTRUCTION	5,581.25
			INDIANA AVE RECONSTRUCTION	14,920.25
			LIBRARY FACILITY ASSESSMENT STUDY	1,817.50
			CITY HALL DOORWAYS	1,864.51
				<u>76,024.53</u>
06/16/2015	51182	ALEXANDER CHEMICAL CORP	SUPPLIES	1,996.97
			CREDIT MEMO	(800.00)
				<u>1,196.97</u>
06/16/2015	51183	ALLEN SR, SAMMIE L	UB refund for account: 10887200	196.25
06/16/2015	51184	AUTOWARES INC	REPAIR/MAINT SUPPLIES- ACCT #23300720	4.69
06/16/2015	51185	BLUE, BRENDA G	UB refund for account: 10089004	73.75
06/16/2015	51186	BRONSINK & BOS EQUIPMENT	PARTS	685.11
06/16/2015	51187	BURNS, TRENTON M	UB refund for account: 10060018	147.72
06/16/2015	51188	C.C. JOHNSON & MALHOTRA PC	SOUTH HAVEN IPP PROGRAM	475.71
06/16/2015	51189	CARLETON EQUIPMENT COMPANY	BOBCAT SERVICE & PARTS	1,139.23
06/16/2015	51190	CARRIER & GABLE INC	STREET SUPPLIES	828.60
06/16/2015	51191	CDW GOVERNMENT INC	PARTS	72.67
06/16/2015	51192	CENTURY LINK	LONG DISTANCE	5.40
06/16/2015	51193	CHIEF SUPPLY CORP	UNIFORMS	238.33
			UNIFORMS	111.14
				<u>349.47</u>
06/16/2015	51194	CITY PLUMBING & HEATING CO	MAINTENANCE FOR JAN 15	1,982.00
			MAINTENANCE FOR FEB 15	1,982.00
				<u>3,964.00</u>
06/16/2015	51195	CLARK HILL PLC	THAYER LITIGATION	57.00
06/16/2015	51196	CLARK, DANICA A	UB refund for account: 10009018	50.47
06/16/2015	51197	COASTAL LANDSCAPING INC	LANDSCAPING PROJECT	6,810.00
06/16/2015	51198	CONSTRUCTION ASSOCIATES INC	BUILDING INSPECTIONS	2,893.25
06/16/2015	51199	CONSUMERS CONCRETE CORP	STREET MATERIALS	153.50
			STREET MATERIALS	348.00
			STREET MATERIALS	25.60
			RETURN - CREDIT MEMO	(26.95)
				<u>500.15</u>
06/16/2015	51200	CORNELISSE DESIGN ASSOC INC	BROADWAY ST CONCEPT IMPROVEMENTS	400.00
			CENTER ST CONCEPT IMPROVEMENTS	1,090.00

Check Date	Check	Vendor Name	Description	Amount
			CITY HALL RAIN GARDEN EDGE	186.75
			WATER STREET CONCEPT IMPROVEMENTS	1,652.75
			WATER ST IMPROVEMENTS-MAINTENANCE REPORT	1,500.00
				<u>4,829.50</u>
06/16/2015	51201	DE BEST INC	REPAIRS AT ELLEN AVERY PARK	94.75
06/16/2015	51202	DICKINSON WRIGHT	PROFESSIONAL SERVICES FOR APRIL 2015	5,730.49
06/16/2015	51203	DO-IT CORPORATION	MARITIME DISTRICT ASPHALT STICKERS	1,878.00
06/16/2015	51204	ELECSYS INTERNATIONAL CORP	JULY 2015 MONTHLY MAINTENANCE	267.00
06/16/2015	51205	ELECTRICAL MAINTENANCE & CONST	BASEMENT LIGHTING PROJECT	252.81
06/16/2015	51206	ERA COASTAL REAL ESTATE	UB refund for account: 13514101	73.26
06/16/2015	51207	FASTENAL COMPANY	PARTS	5.78
06/16/2015	51208	FINKEN, FRANK G	UB refund for account: 11477002	565.26
06/16/2015	51209	FIRST METHODIST CH	UB refund for account: 11075000	703.31
06/16/2015	51210	FIRST METHODIST CH	UB refund for account: 11076000	347.12
06/16/2015	51211	FLEMING BROS OIL CO INC	FUEL	353.33
06/16/2015	51212	FRONTIER	TELEPHONE 231-197-0043-051713-5	124.66
06/16/2015	51213	GAGLIARDO, KRISTY L	UB refund for account: 20016119	97.20
06/16/2015	51214	GERALD KIRSCH	NARC TRAINING MEALS	106.83
06/16/2015	51215	GIST, CATHY V	UB refund for account: 20025510	88.94
06/16/2015	51216	GRAINGER	PARTS	110.00
06/16/2015	51217	GREAT LAKES SPECIALTY DIVING I	ANNUAL INSPECTION AND INTAKE CLEANING	6,150.00
06/16/2015	51218	HARBOR HOUSE PUBLISHING	CITY ADVERTISING	1,125.00
06/16/2015	51219	HUBBELL, ROTH & CLARK INC	SOUTH HAVEN AMP WWTP & PUMP STNS	5,512.17
06/16/2015	51220	HUGHES, MELISSA M	UB refund for account: 10523017	123.32
06/16/2015	51221	HULL LIFT TRUCK INC	PARTS	1,394.83
06/16/2015	51222	HYDRO DESIGNS INC	CROSS CONNECTION CONTROL PROGRAM	995.00
06/16/2015	51223	ILG, TERRI & NICK	UB refund for account: 10978002	306.62
06/16/2015	51224	J & L ORCHARD SUPPLY LLC	8" GRATE	10.00
06/16/2015	51225	JACKSON, MARTHA L	UB refund for account: 10048013	163.06
06/16/2015	51226	JONES YANCEY, LINDA	UB refund for account: 10873000	175.37
06/16/2015	51227	JORDAN, TERESA M	UB refund for account: 11154003	521.10
06/16/2015	51228	KALAMAZOO FLAG	U S MOUNTED FLAG 12 X 18	283.65
06/16/2015	51229	KENDALL ELECTRIC INC	BATTERIES	353.05
06/16/2015	51230	KREIS,ENDERLE,HUDGINS & BORSOS PC	LABOR AND EMPLOYMENT MATTERS	1,210.00
06/16/2015	51231	LACY, JAMES G	UB refund for account: 10075012	82.25
06/16/2015	51232	LAKELAND ASPHALT CORP	COLD PATCH	4,500.90
06/16/2015	51233	LAKESHORE PAINT & ARTWORKS	BRIDGE OFFICE - DYCKMAN BRIDGE	174.59
			BRIDGE OFFICE - DYCKMAN BRIDGE	121.17
			BRIDGE OFFICE - DYCKMAN BRIDGE	18.57
			PARKS SUPPLIES	107.98
			STREETS SUPPLIES	792.00
			BEACH SUPPLIES	79.90
				<u>1,294.21</u>
06/16/2015	51234	LAWN BOYS INC	MOWING & TRIMMING CITY	1,270.00
06/16/2015	51235	LITTLE OSCAR'S SCREEN PRINTS	UNIFORMS	245.00
06/16/2015	51236	MARCOUX, CATHERINE C	UB refund for account: 11153006	46.90
06/16/2015	51237	MAST HEATING & COOLING	REFUND MECHANICAL PERMIT -250 CHERRY CT	160.00
06/16/2015	51238	MENARDS	MAINTENANCE SUPPLIES	240.24
			MAINTENANCE SUPPLIES	175.82
			MAINTENANCE SUPPLIES	28.95
			MAINTENANCE SUPPLIES	2.97
			MAINTENANCE SUPPLIES	51.54
			MAINTENANCE SUPPLIES	61.71
			MAINTENANCE SUPPLIES	28.15
			MAINTENANCE SUPPLIES	21.02
			MAINTENANCE SUPPLIES	20.86

Check Date	Check	Vendor Name	Description	Amount
			MAINTENANCE SUPPLIES	156.78
			MAINTENANCE SUPPLIES	40.52
			MAINTENANCE SUPPLIES	429.49
			MAINTENANCE SUPPLIES	37.42
				<u>1,295.47</u>
06/16/2015	51239	MICHAEL BRAZIER	REIMB FOR SUPPLIES	10.42
06/16/2015	51240	MICHAEL LEDGER	BIKE PATROL SUPPLIES	15.65
06/16/2015	51241	MICHIANA SUPPLY INC	SUPPLIES	28.21
06/16/2015	51242	MICHIGAN MUNICIPAL LEAGUE	GAIL PATTERSON - MBC-LEO MEMBERSHIP	35.00
06/16/2015	51243	MISSION COMMUNICATIONS, LLC	ANNUAL SERVICE	2,967.63
06/16/2015	51244	MLIVE MEDIA GROUP	EMPLOYMENT AD	612.15
06/16/2015	51245	MML WORKERS' COMP FUND	WORKERS COMP PREMIUM 7/1/15 TO 7/1/16	115,558.00
06/16/2015	51246	OLSON BROTHERS CONTRACTORS	TOT LOT RESTROOM IMPROVEMENTS	6,380.00
06/16/2015	51247	PEARSON, MARZIE	UB refund for account: 11617000	164.62
06/16/2015	51248	PLEASANT VIEW MHP-SOUTH HAVEN	UB refund for account: 20418504	80.76
06/16/2015	51249	PLEASANT VIEW MHP-SOUTH HAVEN	UB refund for account: 20539001	62.12
06/16/2015	51250	POLYDYNE INC	CLARIFLOC	1,035.00
06/16/2015	51251	POWER LINE SUPPLY CO	MAINTENANCE SUPPLIES	423.12
			MAINTENANCE SUPPLIES	432.39
			MAINTENANCE SUPPLIES	88.04
			MAINTENANCE SUPPLIES	226.60
			MAINTENANCE SUPPLIES	226.60
			MAINTENANCE SUPPLIES	3,039.80
			MAINTENANCE SUPPLIES	1,888.05
			MAINTENANCE SUPPLIES	1,329.15
			MAINTENANCE SUPPLIES	3,948.90
			MAINTENANCE SUPPLIES	117.35
			MAINTENANCE SUPPLIES	(129.00)
			MAINTENANCE SUPPLIES	(106.68)
				<u>11,484.32</u>
06/16/2015	51252	PRI MAR PETROLEUM INC	CARS WASHED	37.50
06/16/2015	51253	FRUITT, BARBARA L	UB refund for account: 10649003	608.36
06/16/2015	51254	QUINN, PAUL	UB refund for account: 10789001	126.37
06/16/2015	51255	RATHCO SAFETY SUPPLY INC	RESERVED PARKING SIGNS	125.00
06/16/2015	51256	RELIABLE DISPOSAL INC #646	DISPOSAL SERVICES	1,774.61
			DISPOSAL SERVICES 3-0646-1079814	65.00
			DISPOSAL SERVICES	3,194.64
			DISPOSAL SERVICES	30,171.18
				<u>35,205.43</u>
06/16/2015	51257	REPCOLITE PAINTS INC	PARTS	200.78
06/16/2015	51258	RIDGE AND KRAMER AUTO PARTS	MAINTENANCE SUPPLIES	42.51
			MAINTENANCE SUPPLIES	4.67
			MAINTENANCE SUPPLIES	229.21
			MAINTENANCE SUPPLIES	88.77
			MAINTENANCE SUPPLIES	34.15
			MAINTENANCE SUPPLIES	379.00
			MAINTENANCE SUPPLIES	166.49
			MAINTENANCE SUPPLIES	82.78
			MAINTENANCE SUPPLIES	11.99
			MAINTENANCE SUPPLIES	34.15
				<u>1,073.72</u>
06/16/2015	51259	ROSE SHOP, THE	WREATH FOR POLICE MEMORIAL	65.00

Check Date	Check	Vendor Name	Description	Amount
06/16/2015	51260	RYAN RUMLER	WHITE CEREMONY GLOVES FOR POLICE MEMORIA	69.84
06/16/2015	51261	SECANT TECHNOLOGIES	MONTHLY MANAGEMENT FEE	4,171.50
06/16/2015	51262	SO HAVEN UNITED PENT	UB refund for account: 11309001	200.29
06/16/2015	51263	SOUTH HAVEN AREA CHAMBER	ANNUAL CHAMBER DINNER	330.00
06/16/2015	51264	SOUTH HAVEN SMALL ENGINES	MAINTENANCE	78.01
			MAINTENANCE	53.71
				<u>131.72</u>
06/16/2015	51265	LINDA SPEARS	ALTERATIONS	27.00
			ALTERATIONS	18.00
				<u>45.00</u>
06/16/2015	51266	STAPLES ADVANTAGE	SUPPLIES	63.02
			SUPPLIES	30.89
			SUPPLIES	92.99
			SUPPLIES	56.15
			SUPPLIES	31.80
			SUPPLIES	451.93
			SUPPLIES - CREDIT MEMO	(103.69)
				<u>623.09</u>
06/16/2015	51267	STATE OF MICHIGAN	BOILER INSPECTION FEE	75.00
06/16/2015	51268	STATE OF MICHIGAN- MDOT	LOCAL PROGRESS BILLING	3,230.57
			LOCAL PROGRESS BILLINGS	66,733.87
				<u>69,964.44</u>
06/16/2015	51269	TELE-RAD INC	UNIFORMS	152.58
06/16/2015	51270	TRACTOR SUPPLY CREDIT PLAN	SUPPLIES ACCT#6035 3012 0321 1550	128.88
			SUPPLIES ACCT#6035 3012 0321 3881	114.44
			SUPPLIES ACCT#6035 3012 0321 1402	50.96
			SUPPLIES ACCT#6035 3012 0321 1402	134.92
			SUPPLIES ACCT#6035 3012 0321 1063	64.98
			SUPPLIES ACCT#6035 3012 0321 5925	19.99
			SUPPLIES ACCT#6035 3012 0321 1758	71.98
			SUPPLIES ACCT#6035 3012 0321 1410	299.94
			SUPPLIES ACCT#6035 3012 0321 5925	89.98
				<u>976.07</u>
06/16/2015	51271	ULINE	SUPPLIES	321.62
06/16/2015	51272	USA BLUE BOOK	LAB SUPPLIES	294.81
			LAB SUPPLIES	1,145.08
				<u>1,439.89</u>
06/16/2015	51273	VANDERZEE MOTORPLEX	TERYX PARTS	18.75
06/16/2015	51274	RON WASHEGESIC	ROD SEWER - STANLEY JOHNSTON PARK	180.00
06/16/2015	51275	WEST MICHIGAN WATERPROOFING LLC	REPAIRS TO ELLEN AVERY PARK	27,100.00
06/16/2015	51276	WINES, JULONDA F	UB refund for account: 20031506	36.80
06/16/2015	51277	WIOSKOWSKI, ALICIA M	UB refund for account: 10052015	2.92
06/16/2015	51278	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	22.24
			MAINTENANCE SUPPLIES	15.31
			MAINTENANCE SUPPLIES	27.98

Check Date	Check	Vendor Name	Description	Amount
			MAINTENANCE SUPPLIES	14.99
			MAINTENANCE SUPPLIES	3.29
			MAINTENANCE SUPPLIES	20.67
			MAINTENANCE SUPPLIES	2.35
			MAINTENANCE SUPPLIES	11.02
			MAINTENANCE SUPPLIES	9.29
			MAINTENANCE SUPPLIES	36.48
			MAINTENANCE SUPPLIES	21.24
			MAINTENANCE SUPPLIES	1.49
			MAINTENANCE SUPPLIES	2.63
			MAINTENANCE SUPPLIES	6.49
			MAINTENANCE SUPPLIES	6.49
				<u>201.96</u>
06/16/2015	51279	WOODHAMS, INC , DON	PARTS	56.20
			REPAIRS	182.20
			REPAIRS	326.39
			REPAIRS	469.64
			REPAIRS	491.71
			REPAIRS	595.80
				<u>2,121.94</u>
06/16/2015	51280	COMPTON INC	ELLEN AVERY PARK HAZARD WORK	7,929.63
			INN AT THE PARK - DYCKMAN AVE RECONSTRUC	3,890.00
			DYCKMAN & NORTH SHORE DRIVE-DYCKMAN AVE	8,562.50
				<u>20,382.13</u>
06/16/2015	51281	DE BEST INC	INN AT THE PARK-DYCKJMAN AVE RECONSTRUCT	672.00
06/16/2015	51282	MIDWEST CIVIL ENGINEERS INC	CONSTRUCTION STAKING FOR DYCKMAN AVE PRO	3,160.50
			BROCKWAY CONSTRUCTION STAKING-DYCKMAN PR	1,212.50
				<u>4,373.00</u>
<b>1 TOTALS:</b>				
Total of 103 Checks:				449,912.69
Less 0 Void Checks:				0.00
Total of 103 Disbursements:				<u>449,912.69</u>

***MEMORANDUM***

To: Brian Dissette

From: Deborah Lull

Date: June 4, 2015

Subject: Change in Employee Contribution Rate for Police Division

The attached MERS benefit change resolution will change the employee contributions for division #02 – Police from 4% to 4.5%. The changes are made in accordance with the provisions of the police supervisory and non-supervisory collective bargaining agreements.

The resolution is dated for the June 15, 2015 City Council meeting and has an effective date of July 1, 2015.

Thank you for your attention to this request.

# Defined Benefit Plan Adoption Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

The Employer, a participating municipality or participating court within the state of Michigan, hereby agrees to adopt and administer the MERS Defined Benefit Plan provided by the Municipal Employees' Retirement System of Michigan, as authorized by 1996 PA 220, in accordance with the MERS Plan Document, as both may be amended, subject to the terms and conditions herein.

**I. Employer Name** \_\_\_\_\_ **Municipality #:** \_\_\_\_\_

If new to MERS, please provide your municipality's fiscal year: \_\_\_\_\_ through \_\_\_\_\_.  
Month Month

## II. Effective Date

Check one:

A.  If this is the **initial** Adoption Agreement for this group, the effective date shall be the first day of \_\_\_\_\_, 20\_\_.

This municipality or division is new to MERS, so vesting credit prior to the **initial** MERS effective date by each eligible participant shall be credited as follows (choose one):

- All prior service from date of hire
- Prior service proportional to assets transferred; all service used for vesting
- Prior service and vesting service proportional to assets transferred
- No prior service but grant vesting credit
- No prior service or vesting credit

Link this new division to division number \_\_\_\_\_ for purposes of determining contributions (Unless otherwise specified, the standard transfer/rehire rules apply)

B.  If this is an **amendment** of an existing Adoption Agreement (Defined Benefit division number \_\_\_\_\_), the effective date shall be the first day of \_\_\_\_\_, 20\_\_. *Please note:* You only need to mark **changes** to your plan throughout the remainder of this Agreement.

C.  If this is a **temporary benefit** that lasts 2-6 months, the effective dates of this temporary benefit are from \_\_\_/01/\_\_\_ through \_\_\_/\_\_\_/\_\_\_ for Defined Benefit division number \_\_\_\_\_.  
Last day of month  
*Please note:* You only need to mark **changes** to your plan throughout the remainder of this Agreement.

D.  If this is to **separate employees from an existing Defined Benefit division** (existing division number(s) \_\_\_\_\_) into a new division, the effective date shall be the first day of \_\_\_\_\_, 20\_\_.

E.  If this is to merge division(s) \_\_\_\_\_ into division(s) \_\_\_\_\_, the effective date shall be the first of \_\_\_\_\_, 20\_\_.

# Defined Benefit Plan Adoption Agreement

## III. Eligible Employees

Only those Employees eligible for MERS membership may participate in the MERS Defined Benefit Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following groups of employees are eligible to participate:

\_\_\_\_\_  
(Name of Defined Benefit division – e.g. All Full Time Employees, or General after 7/01/13)

Only retirees will be in this division.

**These employees are** (check one or both):

In a collective bargaining unit (attach cover page, retirement section, signature page)

Subject to the same personnel policy

**To receive one month of service credit** (check one):

An employee shall work 10 \_\_\_\_\_ hour days.

An employee shall work \_\_\_\_\_ hours in a month.

All employees as classified under eligible employees, whether full or part time, who meet this criteria must be reported to MERS. If you change your current day of work definition to be more restrictive, the new definition only applies to employees hired after the effective date.

To further define eligibility, check all that apply:

**Probationary Periods** are allowed in one-month increments, no longer than 12 months. During this introductory period, the Employer will not report or provide service time for this period, including retroactively. Service will begin after the probationary period has been satisfied.

The probationary period will be \_\_\_\_\_ month(s).

**Temporary employees** in a position normally requiring less than a total of 12 whole months of work in the position may be *excluded* from membership. These employees must be notified in writing by the participating municipality that they are excluded from membership within 10 business days of date of hire or execution of this Agreement.

The temporary exclusion period will be \_\_\_\_\_ month(s).

## IV. Provisions

Valuation Date: \_\_\_\_\_, 20\_\_\_\_

### 1. Review the valuation results

It is recommended that your MERS representative presents and explains the valuation results to your municipality before adopting. Please choose one:

Our MERS representative presented and explained the valuation results to the

\_\_\_\_\_ on \_\_\_\_\_.  
(Board, Finance Cmte, etc.) (mm/dd/yyyy)

As an authorized representative of this municipality, I \_\_\_\_\_  
(Name)

\_\_\_\_\_ waive the right for a presentation of the results.  
(Title)

# Defined Benefit Plan Adoption Agreement

2. This Adoption Agreement will be implemented in conjunction with a current actuarial valuation certified by a MERS actuary that sets contribution rates.
3. Annually, the MERS actuary will conduct an actuarial valuation to determine the employers' contribution rates. Employers are responsible for payment of said contributions at the rate, in the form and at the time that MERS determines.
4. Benefit Multiplier (1%-2.5%, increments of 0.05%) \_\_\_\_\_ % (max 80% for multipliers over 2.25%)

Check here if multiplier will be effective for existing active members' future service only (Bridged Benefit as of effective date on page 1)

If checked, select one below:

- Termination Final Average Compensation (calculated over the members entire wage history)
- Frozen Final Average Compensation (FAC is calculated twice, once for the timeframe that matches the original multiplier, and once for the new multiplier)

5. Final Average Compensation (Min 3 yr, increments of 1 yr) \_\_\_\_\_ years
6. Vesting (5 -10 yrs, increments of 1 yr) \_\_\_\_\_ years
7. Required employee contribution (Max 10%, increments of 0.1%) \_\_\_\_\_ %
8. Compensation, for retirement purposes, is defined as base wages and all of the following. Check applicable boxes to *exclude* these types from your MERS reported wages:
  - Longevity pay
  - Overtime pay
  - Shift differentials
  - Pay for periods of absence from work by reason of vacation, holiday, and sickness
  - Workers' compensation weekly benefits (if reported and are higher than regular earnings)
  - A member's pre-tax contributions to a plan established under Section 125 of the IRC
  - Transcript fees paid to a court reporter
  - A taxable car allowance
  - Short term or long term disability payments
  - Payments for achievement of established annual (or similar period) performance goals
  - Payment for attainment of educational degrees from accredited colleges, universities, or for acquisition of job-related certifications
  - Lump sum payments attributable to the member's personal service rendered during the FAC period
  - Other: \_\_\_\_\_
  - Other 2: \_\_\_\_\_

# Defined Benefit Plan Adoption Agreement

## 9. Early Normal Retirement with unreduced benefits

- Age 50 with 25 years of service
- Age 50 with 30 years of service
- Age 55 with 15 years of service
- Age 55 with 20 years of service
- Age 55 with 25 years of service
- Age 55 with 30 years of service
- Any age with (20-30 yrs, in 1 yr increments) \_\_\_\_\_ years of service
- \_\_\_\_\_

## 10. Other

- Surviving Spouse will receive \_\_\_\_\_% of Straight Life benefit without a reduction to the participant's benefit
- Duty death or disability enhancement (add up to additional 10 years of service credit not to exceed 30 years of service)
- DROP + with \_\_\_\_\_%

## 11. Cost-of-Living Adjustment

<input type="checkbox"/> All <b>current</b> retirees as of effective date <input type="checkbox"/> Retirees who retire <b>between</b> ____/01/____ and ____/01/____ <i>(one time increase only)</i>	<input type="checkbox"/> <b>Future</b> retirees who retire after effective date
Increase of ____% or \$____ per month	Increase of ____% or \$____ per month
Select one: <input type="checkbox"/> Annual automatic increase <input type="checkbox"/> One-time increase	<input type="checkbox"/> Annual automatic increase
Select one: <input type="checkbox"/> Compounding <input type="checkbox"/> Non-compounding	Select one: <input type="checkbox"/> Compounding <input type="checkbox"/> Non-compounding
Employees must be retired ____ months (6-12 months, increments of 1 month)	Employees must be retired ____ months (6-12 months, increments of 1 month)

## V. Appointing MERS as the Plan Administrator

The Employer hereby agrees to the provisions of this *MERS Defined Benefit Plan Adoption Agreement* and appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan. The Employer also agrees that in the event any conflict between MERS Plan Document and the MERS Defined Benefit Plan, the provisions of the Plan Document control.

# Defined Benefit Plan Adoption Agreement

## VI. Modification Of The Terms Of The Adoption Agreement

If the Employer desires to amend any of its elections contained in this Adoption Agreement, including attachments, the Governing Body or Chief Judge, by resolution or official action accepted by MERS, must adopt a new Adoption Agreement. The amendment of the new Agreement is not effective until approved by MERS.

## VII. Enforcement

1. The Employer acknowledges that the Michigan Constitution of 1963, Article 9, Section 24, provides that accrued financial benefits arising under a public Employer's retirement plan are a contractual obligation of the Employer that may not be diminished or impaired, and prohibits the use of the Employer's required current service funding to finance unfunded accrued liabilities.
2. The Employer agrees that, pursuant to the Michigan Constitution, its obligations to pay required contributions are contractual obligations to its employees and to MERS and may be enforced in a court of competent jurisdiction;
3. In accordance with the Constitution and this Agreement, if at any time the balance standing to the Employer's credit in the reserve for employer contributions and benefit payments is insufficient to pay all service benefits due and payable to the entity's retirees and beneficiaries, the Employer agrees and covenants to promptly remit to MERS the amount of such deficiency as determined by the Retirement Board within thirty (30) days notice of such deficiency.
4. The Employer acknowledges that wage and service reports are due monthly, and the employee contributions (if any) and Employer contributions are due and payable monthly, and must be submitted in accordance with the MERS Enforcement Procedure for Prompt Reporting and Payment, the terms of which are incorporated herein by reference.
5. Should the Employer fail to make its required contribution(s) when due, the retirement benefits due and payable by MERS on behalf of the entity to its retirees and beneficiaries may be suspended until the delinquent payment is received by MERS. MERS may implement any applicable interest charges and penalties pursuant to the MERS Enforcement Procedure for Prompt Reporting and Payment and Plan Document Section 45A(3), and take any appropriate legal action, including but not limited to filing a lawsuit and reporting the entity to the Treasurer of the State of Michigan in accordance with MCL 141.1544(d), Section 44 of PA 436 of 2012, as may be amended.
6. The Employer acknowledges that changes to the Employer's MERS Defined Benefit Plan must be made in accordance with the MERS Plan Document and applicable law, and agrees that MERS will not administer any such changes unless the MERS Plan Document and applicable law permit same, and MERS is capable of administering same.

# Defined Benefit Plan Adoption Agreement

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## VIII. Execution

### Authorized Designee of Governing Body of Municipality or Chief Judge of Court

The foregoing Adoption Agreement is hereby approved by \_\_\_\_\_ on  
the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. (Name of Approving Employer)

Authorized signature: \_\_\_\_\_

Title: \_\_\_\_\_

Witness signature: \_\_\_\_\_

### Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: \_\_\_\_\_, 20\_\_\_\_ Signature: \_\_\_\_\_  
(Authorized MERS Signatory)



# City of South Haven

## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

**To:** Brian Dissette, City Manager  
Roger Huff, PE, DPW Director

**From:** Larry Halberstadt, PE, City Engineer

**Date:** June 15, 2015

**RE:** Motor Pool Purchase, Pickup Trucks

### General Information, Motor Pool Fund

Vehicle purchases are scheduled on a revolving basis. Each department that requires vehicles pays fees from their operating budget into the Motor Pool fund. The annual fees that are paid into the fund cover maintenance and repairs that are required over the service life of the vehicle. In addition, fees are collected to cover the purchase price of a new vehicle at the end of the vehicle's service life. Once beyond this point, vehicles can become unreliable or need excessive maintenance which exceeds the amount budgeted. Police patrol vehicles receive the most use and are scheduled for replacement every three years. As a result, higher fees are contributed into the Motor Pool fund from the police department to cover these expenses. Once a replacement vehicle is purchased, the old vehicle is retired and sold via a public bidding process. Staff will look up the "blue book" value of the vehicle and ensure that a minimum bid level is set. Money obtained from the sale of the old vehicles is returned to the motor pool fund as revenue.

The City has one staff member who spends approximately 95% of his work hours in the Motor Pool. This staff member is responsible for all general maintenance activities on vehicles. The activities typically performed included oil and filter changes, tire rotations and changes, and other manufacturer recommended maintenance. Staff typically does not repair body damage or perform alignments. On occasion, if there is a problem that staff cannot diagnose, the vehicles must be returned to the dealership. In addition, vehicles under manufacturer's warranty would be returned to the dealership for warranty repairs.

### Background Information:

Two light duty pickup trucks are scheduled for replacement in the 2014-15 fiscal year. Truck #169 is used by the Electrical Distribution Superintendent. Truck #762 is used in performing Miss Dig utility locates and reading commercial electric meters.

The City of South Haven participates in the MiDEAL purchasing program. MiDEAL allows local units of government to benefit from the State's negotiating and purchasing power. MiDEAL prepares and provides specifications for various vehicles to ensure that a fair bidding process can occur. Staff has reviewed the MiDEAL bids for the required vehicles and requested Woodhams Ford, located in South Haven, Michigan, to provide alternate pricing. Woodhams is typically able to offer the same manufacturer discounts that are offered to the dealers that

**Memorandum**

June 15, 2015

Motor Pool Purchase, Pickup Trucks

Page 2 of 2

participate in the MiDEAL program. As a result, we are able to do business locally and avoid the delivery fees associated with the MiDEAL program. Woodhams is also able to provide discount pricing on vehicles with specifications that vary from the Michigan Bid specifications.

Vehicle #762 is similar to Michigan Spec #3958-0087. Gorno Ford of Woodhaven, Michigan is the Ford dealer that participates in the MiDEAL program. They have provided a price of \$22,428 for the base vehicle that meets the state specifications. Gorno Ford also charges \$2.00 per mile for delivery which would amount to approximately \$346.00. Woodhams Ford has provided a quote of \$25,526.16 for truck #762. The quotation from Woodhams Ford includes the following options, resulting in the price increase over the MiDEAL bid: Trailer Towing Package, Equipment Package 101A, and Spray-in bedliner.

The City has specified vehicle #169 with a crew cab. MiDEAL does not provide bid pricing on vehicles with crew cabs. Woodhams Ford has provided a quote of \$29,785.16 for the vehicle and options specified. The MSRP for this vehicle is \$42,375. Thus, the incentive offered on this vehicle by Ford exceeds 25% of the vehicle list price.

**Recommendation:**

Award the purchase of trucks #169 and #762 to Woodhams Ford in the total amount of \$55,311.32.

**Support Material:**

Woodhams Bid – Truck #169

Woodhams Bid – Truck #762

2015 F-150 Standard Equipment List

Woodhams Ford Lincoln  
1111 LaGrange  
South Haven, MI 49090  
269-637-2137  
[ross@woodhamsford.com](mailto:ross@woodhamsford.com)

04/23/2015

City of South Haven  
Attn: Larry Halberstadt  
RE: Crewcab Pickup #169

2015 Ford F150 Crew Cab 4x4

All standard equipment per attached sheet

6'6" box – 157" wheelbase

5.0 L V8 engine – 360 HP @5500 RPM 380 ft lb torque @4250

Equipment package 101A – includes Power equipment group – power windows, power locks, power mirrors, and remote entry, Sync hands free telephone, Bluetooth connection, cruise control, box link tie down system

Fog Lamps

Vinyl 40/20/40 seat

Carpet covered floor

7050# GVWR

3.31 regular rear axle

Trailer towing package – includes trailer wiring and heavy duty cooling, electrical upgrades and 2" Class IV receiver

Ford Spray in bedliner

P265/70R17 all terrain tires

Net - \$29,785.16

Ross Woodhams

Woodhams Ford Lincoln  
1111 LaGrange  
South Haven, MI 49090  
269-637-2137  
[ross@woodhamsford.com](mailto:ross@woodhamsford.com)

04/23/15

City of South Haven  
Attn: Larry Halberstadt  
RE: Supercab Pickup #762

2014 Ford F150 Pickup Super Cab 4x4

All standard equipment per attached sheet

6'6" box – 145" wheelbase

3.5L V6 engine

6 speed automatic transmission

6300# GVWR

3.73 regular rear axle

Trailer Towing Package – includes receiver hitch, 4 & 7 pin wiring, upgraded  
Cooling system

Equipment package 101A – includes Power equipment group – power windows

Power locks, power mirrors, and remote entry, Sync hands free telephone

Bluetooth connection, cruise control, box link tie down system

Vinyl 40/20/40 seat

Ford spray in bedliner

5 P265/70R17 BSW all terrain tires

Net \$25,526.16

Ross Woodhams

## 2015 Ford F150 Standard Equipment

### Powertrain/Functional

- 3.5L V6 Gas Engine/6 Speed Automatic Transmission/ Flex Fuel capable
- Alternator-135 Amp
- Brakes - 4 Wheel Disc Anti-Lok, Power Assist
- Battery – 78AH, 750CCA
- Easy Fuel Capless Fuel System
- Fuel Tank – 23 Gal
- Two Speed Transfer Case-electronic shift on the fly– 4x4 only
- Shock Absorbers – Gas Heavy Duty
- Spare Tire, wheel and 2 ton jack
- Stabalizer bar - front
- Steering- Power Rack and Pinion
- Tie Down Hooks Pickup Box
- Tow Hooks – Front 4x4 only
- Tire Pressure Monitoring System
- Trailer Sway Control

### Interior

- Air Conditioning
- Auxiliary Power Point
- 40/20/40 front seat w/folding armrest & two panel mount cupholders
- Floor Covering – Full Length Vinyl
- Dome lamp
- Grab handles all seating positions
- Headliner Cloth w/dual sunvisors
- Instruments –tach, fuel guage, voltmeter, oil pressure, engine coolant temp
- Radio – AM/FM stereo w/clock and 2 speakers
- Tilt & telescoping steering wheel
- Wipers – interval
- Outside temperature display
- Power Windows, Locks and Remote Entry on Supercrew

### Exterior

- Glass-solar tinted
- Cargo Box Light
- Mirrors- dual fold away- 55 sq inches
- Rear Step Bumper w/ trailer ball mounting provision & 4 pin wiring
- Tailgate – removable w/key lock
- Wheels/Tires–17” Steel 5 P245/70R17 BSW AS-4x2 265/70/17AT 4x4

### Safety/Security

- Advance Trac w/ Roll Stability Control
- Air Bags – Driver & Passenger Front & Side and Safety Canopy
- Securilok anti theft ignition
- Safety belts w/ shoulder harness



# City of South Haven

## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

**To:** Brian Dissette, City Manager  
Roger Huff, DPW Director

**From:** Robert Miller, Water Filtration Superintendent  
Larry Halberstadt, PE, City Engineer

**Date:** May 18, 2015

**RE:** Water System Communications Improvements, Contract Award

### Background Information

The City of South Haven water distribution system includes a number of remote sites that must be monitored by staff at the Water Filtration Plant. These locations include two pump stations and four water storage tanks. The monitoring is performed remotely at the Water Filtration Plant via a SCADA (Supervisory Control and Data Acquisition) system. The SCADA system permits operators to monitor the water level in the storage tanks and turn pumps on and off remotely to ensure that adequate water is being pumped to meet system demand. The current system uses radio modems for communication. The radio modems being used are obsolete and parts/service are no longer available. After review of available alternatives for replacing the radio modems, staff recommends that the radio modems be replaced with cellular modems operating on the Verizon network.

On May 5<sup>th</sup> 2015 Request for Proposals (Bid Number 2015-WFP-02) for improvements to the drinking water system communication network were sent to qualified contractors. Bid 2015-WFP-02 provides for the replacement of obsolete radio modems at all six remote sites, as well as at the Water Filtration Plant. Radios will be replaced with cellular modems operating on the Verizon 3G/4G/LTE network. The first phase (FY 14-15) of the contract will execute the procurement of all necessary equipment. The second phase (FY 15-16) will provide installation, setup, and programming at the remote sites and in the plant SCADA software.

The RFP was sent to Perceptive Controls, Inc. and West Michigan Instrumentation Systems, Inc. These two contractors were chosen for their unique qualifications. Past experience and involvement in WFP communication issues have granted these two contractors an intimate knowledge of the controls systems and programming architecture.

A bid opening was held on 5/15/15 at 3:00 p.m. in the Department of Public Works Conference Room, 1199 8<sup>th</sup> Avenue, South Haven, MI 49090.

Water Filtration staff recommends awarding the contract to **West Michigan Instrumentation Systems**, in the amount of **\$18,200.00**, of which, \$11,200.00 will be paid in FY 14-15, and \$7,000.00 will be paid in FY 15-16. The bid of \$46,340.00 received by Perceptive Controls

**Memorandum**

June 15, 2015

Water System Communication Improvements, Contract Award

Page 2 of 2

proposes to include additional equipment that goes beyond the specifications set forth by the City. A total amount of \$20,018 has been budgeted for this project during FY 14-15 and Fy 15-16.

**Recommendation**

City Council should review the bid results and recommend award of contract to **West Michigan Instrumentation Systems** in the amount of **\$18,200.00**.

**Attachments**

Bid – Perceptive Controls

Bid – West Michigan Instrumentation

Bid Tabulation

**Bid Must be Submitted on this Form  
CITY OF SOUTH HAVEN, MICHIGAN  
PROPOSAL FORM**

BID NUMBER: 2015-WFP-02

ITEM(S) REQUIRED: Water System Remote Site Communication Improvements

Section 1. BID PRICES

Having carefully examined the bid specifications contained herein, and having carefully read the "GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION FOR BIDDERS"; the Bidder proposes to provide the specified service(s) at the below listed unit price(s) stated subject to all instructions, conditions, specifications and all attachments hereto.

<u>Hardware and Additional Equipment</u>	<u>Delivery Deadline</u>	<u>Price (each site)</u>
Water Plant Master Site	June 30, 2015	\$ <u>3900</u>
Business Park Elevated Tank	June 30, 2015	\$ <u>1800</u>
Business Park Booster Station	June 30, 2015	\$ <u>2000</u>
Blueberry Elevated Tank	June 30, 2015	\$ <u>1800</u>
Covert Booster Pump Station	June 30, 2015	\$ <u>1800</u>
Covert Elevated Tank	June 30, 2015	\$ <u>1800</u>
Spare Component Set <i>modem only</i>	June 30, 2015	\$ <u>740</u>
<u>Installation, Start-up, and Integration</u>		<u>Price (all sites)</u>
Complete Install and Full Operation	October 30, 2015	\$ <u>32,500</u>

Section 2. VARIANCES

State any variations to specifications, terms, and/or conditions, no matter how slight:

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Section 3. PAYMENT

Equipment shall be delivered to the City, or made available on the contractor's premise for inspection by City Personnel prior to the date noted above. **Equipment** invoices shall be submitted to the City no later than **June 30, 2015**. Invoice for installation, start-up, and integration shall be submitted once all sites are fully operational per the specifications herein. The City will pay all invoices within thirty (30) days after receipt of invoice.

Section 4. BONDS/SECURITY

The types and amounts of bonds or security required (if any) are stated in the GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION TO BIDDERS.

Section 5. BIDDER CERTIFICATION

The Bidder certifies the Bid Price is correct and complete and that all information given or furnished is correct, complete and submitted as intended. The Bidder waives any right to refuse to execute the Contract if awarded to him or be relieved from any obligation by reason of any errors, mistakes or omissions, subject to right of withdrawal of Bid.

The undersigned, as Bidder, hereby certifies that they or a qualified designated person in their employ have examined the Contract Documents provided by the City for bidding purposes.

Section 6. ANTI-COLLUSION STATEMENT

The Bidder certifies that this Bid is fair, genuine and not collusive or sham, and has not in any manner, directly or indirectly, agreed or colluded with any other person, firm or association to submit a sham Bid, to refrain from bidding, or in any way to fix the amount of this Bid or that of any other Bidder, or to secure any advantage against the City. If an officer or employee of the City is personally or financially interested, directly or indirectly, in this Bid, notation of such must be made in SECTION 2. VARIANCES. Furthermore, such Bidder shall file with the City Clerk a statement, under oath, setting forth the nature of such business dealings, and his interest therein. The statement shall be filed with the City Clerk not less than ten (10) days before the date when action may be taken by the City Council upon the matter involved. Failure to comply with this section may be cause for rejection of Bid. NOTE: No premiums, rebates or gratuities are permitted either with, prior to, or after any delivery of materials.

Section 7. ADDRESS

If Purchase Order and/or payment are to be mailed to other than address shown below, please complete the following:

MAIL PURCHASE ORDER TO:

MAIL PAYMENT TO:

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Section 8. BID SIGNATURE

This Bid is submitted in the name of: Perceptive Controls  
Company

140 E Bridge Plainwell Mi. 49080 269 685 3040  
Street City State Zip Code Phone

For the stated conditions and price(s), the Undersigned submits this Bid:

Signed this 15<sup>th</sup> day of May, 2014

BY [Signature]  
(Signature)

Rod Koning  
(Name Printed)

Sales Engineer  
(Title)

616 292 9882  
(Telephone Number)



Subject: Perceptive Controls, Inc.\_Proposal Q2015-747

We are pleased to provide you a proposal upgrade communication to remote water sites.

Investment.....see bid form

We don't feel comfortable with upgrading the communications without upgrading the PLC's. Serial communication is not the method for the future. Our design can be completed in small steps or the entire system at once.

Design and engineering

- Modify existing control panel at Water plant
  - Provide and mount
    - AB 1400 PLC
    - Cisco router
    - 24vdc power supply
    - Misc. panel equipment
- Modify existing control panels at remote sites (5)
  - AB 1400 PLC
  - 3G Cellular modem
  - Antenna and cable
  - 24vdc power supply
  - Misc. panel equipment

Services by Perceptive Controls

- Modify existing control panels
- Supply, mount new equipment
- Assist with Private network setup
- Program complete control and monitoring system
- Start-up and troubleshoot

Spares

- 3G Cellular modem
- Antenna

Documentation

- Update existing electronic prints or red line existing
- PLC code
- Equipment manuals

Delivery

- 12-14 weeks for delivery from the receipt of the P.O.
- Verizon private network takes 6-8 weeks from date of city's updated contract with Verizon
- Timing is based on current work load. May change depending on purchased date.

All payments are Net 30 days (1.5% finance charge/month after 30 days)

If you have any questions regarding the scope of our work or technical design, please do not hesitate to call me at (269) 685-3040 EXT-16.

Regards,

*Rod Koning*

*Rod Koning*  
 Application Engineer  
 Perceptive Controls  
 269-225-5507  
 rkoning@perceptivecontrols.com

140 EAST BRIDGE STREET PLAINWELL, MI 49080 PHONE: 269-685-3040 FAX: 269-685-3045

**Bid Must be Submitted on this Form**  
**CITY OF SOUTH HAVEN, MICHIGAN**  
**PROPOSAL FORM**

BID NUMBER: 2015-WFP-02

ITEM(S) REQUIRED: Water System Remote Site Communication Improvements

Section 1. BID PRICES

Having carefully examined the bid specifications contained herein, and having carefully read the "GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION FOR BIDDERS"; the Bidder proposes to provide the specified service(s) at the below listed unit price(s) stated subject to all instructions, conditions, specifications and all attachments hereto.

<u>Hardware and Additional Equipment</u>	<u>Delivery Deadline</u>	<u>Price (each site)</u>
Water Plant Master Site	June 30, 2015	\$ <u>1,600.00</u>
Business Park Elevated Tank	June 30, 2015	\$ <u>1,600.00</u>
Business Park Booster Station	June 30, 2015	\$ <u>1,600.00</u>
Blueberry Elevated Tank	June 30, 2015	\$ <u>1,600.00</u>
Covert Booster Pump Station	June 30, 2015	\$ <u>1,600.00</u>
Covert Elevated Tank	June 30, 2015	\$ <u>1,600.00</u>
Spare Component Set	June 30, 2015	\$ <u>1,600.00</u>
 <u>Installation, Start-up, and Integration</u>		<u>Price (all sites)</u>
Complete Install and Full Operation	October 30, 2015	\$ <u>7,000.00</u>

Section 2. VARIANCES

State any variations to specifications, terms, and/or conditions, no matter how slight:

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Section 3. PAYMENT

Equipment shall be delivered to the City, or made available on the contractor's premise for inspection by City Personnel prior to the date noted above. **Equipment** invoices shall be submitted to the City no later than **June 30, 2015**. Invoice for installation, start-up, and integration shall be submitted once all sites are fully operational per the specifications herein. The City will pay all invoices within thirty (30) days after receipt of invoice.

Section 4. BONDS/SECURITY

The types and amounts of bonds or security required (if any) are stated in the GENERAL CONDITIONS, INSTRUCTIONS TO BIDDERS AND INFORMATION TO BIDDERS.

Section 5. BIDDER CERTIFICATION

The Bidder certifies the Bid Price is correct and complete and that all information given or furnished is correct, complete and submitted as intended. The Bidder waives any right to refuse to execute the Contract if awarded to him or be relieved from any obligation by reason of any errors, mistakes or omissions, subject to right of withdrawal of Bid.

The undersigned, as Bidder, hereby certifies that they or a qualified designated person in their employ have examined the Contract Documents provided by the City for bidding purposes.

Section 6. ANTI-COLLUSION STATEMENT

The Bidder certifies that this Bid is fair, genuine and not collusive or sham, and has not in any manner, directly or indirectly, agreed or colluded with any other person, firm or association to submit a sham Bid, to refrain from bidding, or in any way to fix the amount of this Bid or that of any other Bidder, or to secure any advantage against the City. If an officer or employee of the City is personally or financially interested, directly or indirectly, in this Bid, notation of such must be made in SECTION 2. VARIANCES. Furthermore, such Bidder shall file with the City Clerk a statement, under oath, setting forth the nature of such business dealings, and his interest therein. The statement shall be filed with the City Clerk not less than ten (10) days before the date when action may be taken by the City Council upon the matter involved. Failure to comply with this section may be cause for rejection of Bid. NOTE: No premiums, rebates or gratuities are permitted either with, prior to, or after any delivery of materials.

Section 7. ADDRESS

If Purchase Order and/or payment are to be mailed to other than address shown below, please complete the following:

MAIL PURCHASE ORDER TO:

MAIL PAYMENT TO:

West Michigan Instrumentation Systems, Inc.

Same

12575 Cleveland Street

Nunica, Michigan 49448

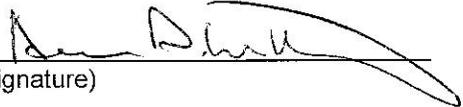
Section 8. BID SIGNATURE

This Bid is submitted in the name of: West Michigan Instrumentation Systems, Inc.  
Company

12575 Cleveland Street, Nunica, Michigan 49448 616-837-6148  
Street City State Zip Code Phone

For the stated conditions and price(s), the Undersigned submits this Bid:

Signed this 8th day of May, 2014

BY   
(Signature)

Allen D. LeMieux  
(Name Printed)

President  
(Title)

616-837-6148  
(Telephone Number)

TABULATION OF BIDS

CITY OF SOUTH HAVEN

DATE OF OPENING

5/15/2015

FOR Water System Communication Improvements

DEPARTMENT

Water Treatment

BID # <b>2015-WFP-02</b>		Perceptive Controls, Inc.		West MI Instrumentation Systems, Inc.			
ACCEPTABLE		YES		YES		YES	YES NO
BID BOND AMOUNT \$ OR %		N/A		N/A			
ADDENDUM RECEIVED 1 2 3 4 5 6		YES NO		YES NO		YES NO	YES NO
ITEM	BRIEF DISCRIPTION	QTY	UNIT PRICE	EXT. PRICE	UNIT PRICE	EXT. PRICE	UNIT PRICE EXT. PRICE
<b>Hardware FY 14-15</b>	Cellular Modems, Cables, Antennas, Pwr Supplies for 6 sites, addl. spare	1	\$13,840.00	\$13,840.00	\$11,200.00	\$11,200.00	
<b>Integration FY 15-16</b>	Remove Old Hardware, Install New Hardware, Programming, Start-up	1	\$32,500.00	\$32,500.00	\$7,000.00	\$7,000.00	
<b>Total</b>				<b>\$46,340.00</b>		<b>\$18,200.00</b>	

AMOUNT BUDGETED

FY 14-15 **\$11,685.00**

FY 15-16 **\$8,333.00**

COMMENTS See attached memo



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

REPORT TO: Honorable Mayor and City Council  
FROM: Wendy J. Hochstedler, Finance Director  
SUBJECT: Fiscal Year 2014-15 Final Budget Adjustment  
MEETING DATE: June 15, 2015

**BACKGROUND:** Section 8.6 of the City Charter permits revisions to the City Budget if the revenues or expenditures are not at the anticipated levels. There are a number of revenue and expenditure adjustments that need to be formally entered into the accounting system at this time.

This report represents all of the adjustments to be made to the budget for the entire fiscal year. It reflects various project expenses that were approved throughout the year by the City Council and also adjusts various revenue and expense items to their projected levels at June 30, 2015.

The report shows the original budget and amended budget amounts, along with the projected fund balance at the end of this fiscal year. Overall budgeted revenues show a net decrease of \$1,269,458 which reflects the removal of the State Grant funds from the Capital Projects funds. The \$665,000 grant revenue for the Monroe Blvd. land acquisition transaction is not expected to be completed by June 30. Also included in the original budget was \$1,948,000 of grant funds relating to the Dyckman Bridge Rehabilitation project which will not be channeled through the City's financial statements so the budget now reflects the local match required for the project. The overall budgeted expenses increased by \$2,342,238. This includes adjustments for changes in personnel costs, planned infrastructure projects that were either not completed last year and were added back, had major scope changes in the project or were not included in the original budget document and other unexpected repairs & maintenance items unplanned expenses. The General Fund is expected to use approximately \$484,644 of reserves by the end of this fiscal year with a projected fund balance remaining of \$2,004,882 or approximately 27% of annual expenditures. There were large expenditures for improvements of City owned property and other land purchases.

**RECOMMENDATION:** It is recommended that the City Council approve the attached budget adjustment for the Fiscal Year 2014-15 and authorize the Finance Director/Treasurer to amend the Budget as stated within this report.

**FISCAL EFFECTS:** The fiscal effects are as stated and shown in this report.

Respectfully Submitted;

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Wendy J. Hochstedler  
Finance Director/Treasurer

CITY OF SOUTH HAVEN  
SCHEDULE OF CITY BUDGETS  
ORIGINAL AND AMENDED

Revenues and Expenditures by Fund and Activity

Fund Description	Activity	ORIGINAL	ORIGINAL	BUDGET	AMENDED	AMENDED	AMENDED	6/30/2014	6/30/2015
		Total Revenues	Total Expenditures	ADJUSTMENT	Total Revenues	Total Expenditures	FUND NET CHANGE	FUND BALANCE	FUND BALANCE
000 Revenues		\$ 6,664,008		289,369	\$ 6,953,377				
101 City Council	101		\$ 52,278	997		\$ 53,275			
101 City Manager	172		\$ 192,958	-		\$ 192,958			
101 Elections	191		\$ 21,026	7,528		\$ 28,554			
101 Treasurer	202		\$ 115,724	3,819		\$ 119,543			
101 Assessing	209		\$ 140,579	10,000		\$ 150,579			
101 Legal Counsel	210		\$ 150,000	60,000		\$ 210,000			
101 City Clerk	215		\$ 31,911	3,114		\$ 35,025			
101 Other Personnel	227		\$ 116,299	6,256		\$ 122,555			
101 Finance	253		\$ 66,663	1,405		\$ 68,068			
101 Building and Grounds	265		\$ 336,291	37,210		\$ 373,501			
101 Cemetery	276		\$ 125,542	30,858		\$ 156,400			
101 CATV	294		\$ 41,050	2,517		\$ 43,567			
101 Police	301		\$ 2,123,150	24,000		\$ 2,147,150			
101 Information Center	350		\$ 66,456	-		\$ 66,456			
101 Fire	339		\$ 496,985	18,332		\$ 515,317			
101 Building Services	371		\$ 266,784	(25,000)		\$ 241,784			
101 Animal Shelter	430		\$ 7,000	1,153		\$ 8,153			
101 Drains	445		\$ 39,000	201,344		\$ 240,344			
101 Highways & Streets	446		\$ 492,888	103,845		\$ 596,733			
101 Engineering	447		\$ 87,666	3,500		\$ 91,166			
101 Street Lighting	448		\$ 85,000	-		\$ 85,000			
101 Environmental Cleanup	622		\$ 1,000	-		\$ 1,000			
101 Hospital	635		\$ 105,403	4,597		\$ 110,000			
101 Senior Services	673		\$ 79,729	3,271		\$ 83,000			
101 Library	790		\$ 189,057	2,943		\$ 192,000			
101 Development	728		\$ 56,403	60,000		\$ 116,403			
101 Parks	751		\$ 484,832	(39,146)		\$ 445,686			
101 Recreation	777		\$ 17,500	-		\$ 17,500			
101 Museum	804		\$ 51,621	118,083		\$ 169,704			
101 Insurance and Bonds	851		\$ 65,000	500		\$ 65,500			
101 Other	895		\$ 84,806	26,189		\$ 110,995			
101 Debt Service	905		\$ 173,187	-		\$ 173,187			
101 Operating Transfers Out	965		\$ 247,000	161,918		\$ 408,918			
<b>101 General Fund</b>		<b>\$ 6,664,008</b>	<b>\$ 6,608,788</b>		<b>\$ 6,953,377</b>	<b>\$ 7,438,021</b>	<b>\$ (484,644)</b>	<b>\$ 2,489,526</b>	<b>\$ 2,004,882</b>
Special Revenue Funds									
202 Major Streets		\$ 323,306	\$ 323,306		\$ 327,306	\$ 459,861	\$ (132,555)	176,207	\$ 43,652
203 Local Streets		\$ 178,023	\$ 178,023		\$ 182,751	\$ 206,579	\$ (23,828)	70,569	\$ 46,741
204 Street Improvement Fund		\$ 1,150,630	\$ 1,502,274		\$ 1,148,105	\$ 1,648,474	\$ (500,369)	727,346	\$ 226,977
226 Garbage and Refuse		\$ 387,650	\$ 387,650		\$ 390,790	\$ 390,790	\$ -	18,904	\$ 18,904
257 Budget Stabilization		\$ 50,000	\$ -		\$ 50,000	\$ -	\$ 50,000	161,658	\$ 211,658
265 Narcotics Fund		\$ 218,203	\$ 236,303		\$ 226,613	\$ 243,303	\$ (16,690)	70,011	\$ 53,321
266 Police Training Fund		\$ 4,500	\$ 4,500		\$ 3,747	\$ 3,747	\$ -	835	\$ 835
282 CDBG		\$ -	\$ -		\$ 3,800	\$ -	\$ 3,800	37,752	\$ 41,552
296 River Maintenance		\$ 36,880	\$ 20,500		\$ 36,880	\$ 20,500	\$ 16,380	57,106	\$ 73,486
730 Sick Pay Reserve		\$ -	\$ -		\$ -	\$ -	\$ -	113,558	\$ 113,558
711 Cemetery Perpetual Care		\$ 14,000	\$ -		\$ 14,000	\$ -	\$ 14,000	278,486	\$ 292,486
<b>Special Revenue Funds</b>		<b>\$ 2,363,192</b>	<b>\$ 2,652,556</b>		<b>\$ 2,383,992</b>	<b>\$ 2,973,254</b>	<b>\$ (589,262)</b>	<b>\$ 1,712,432</b>	<b>\$ 1,123,170</b>
Component Units									
250 DDA Operating Fund		\$ 1,563,254	\$ 1,521,591		\$ 1,536,240	\$ 1,818,609	\$ (282,369)	541,864	\$ 259,495
251 LDFA #1		\$ 221,327	\$ 273,356		\$ 205,271	\$ 187,483	\$ 17,788	697,996	\$ 715,784
252 LDFA #2		\$ 34,024	\$ 48,878		\$ 31,570	\$ 51,118	\$ (19,548)	247,971	\$ 228,423
253 LDFA #3		\$ 54,204	\$ 126,423		\$ 59,414	\$ 126,423	\$ (67,009)	554,643	\$ 487,634
260 Brownfield		\$ 153,432	\$ 706,271		\$ 147,255	\$ 206,271	\$ (59,016)	1,229,964	\$ 1,170,948
<b>Component Units</b>		<b>\$ 2,026,241</b>	<b>\$ 2,676,519</b>		<b>\$ 1,979,750</b>	<b>\$ 2,389,904</b>	<b>\$ (410,154)</b>	<b>\$ 3,272,438</b>	<b>\$ 2,862,284</b>
Debt Service Funds									
363 2007 Capital Bond Debt Service		\$ 109,087	\$ 109,087		\$ 109,087	\$ 109,087	\$ -	1,309	\$ 1,309
370 Building Authority Debt Service #2		\$ 258,925	\$ 258,925		\$ 258,925	\$ 258,925	\$ -	30,801	\$ 30,801
371 2003 Capital Bond Debt Service		\$ 341,438	\$ 341,438		\$ 341,438	\$ 341,438	\$ -	32,295	\$ 32,295
395 DDA Debt Service #1		\$ 377,110	\$ 377,110		\$ 377,110	\$ 377,110	\$ -	376	\$ 376
396 DDA Debt Service #2		\$ 207,685	\$ 207,685		\$ 207,685	\$ 207,685	\$ -	15,598	\$ 15,598
<b>Debt Service Funds</b>		<b>\$ 1,294,245</b>	<b>\$ 1,294,245</b>		<b>\$ 1,294,245</b>	<b>\$ 1,294,245</b>	<b>\$ -</b>	<b>\$ 80,380</b>	<b>\$ 80,380</b>

CITY OF SOUTH HAVEN  
SCHEDULE OF CITY BUDGETS  
ORIGINAL AND AMENDED

Revenues and Expenditures by Fund and Activity

Fund Description	Activity	ORIGINAL		BUDGET ADJUSTMENT	AMENDED		AMENDED FUND NET CHANGE	6/30/2014 FUND BALANCE	6/30/2015 FUND BALANCE
		Total Revenues	Total Expenditures		Total Revenues	Total Expenditures			
<b>Capital Funds</b>									
401 Capital Improvement Fund		\$ 715,000	\$ 902,500		\$ 375,956	\$ 125,427	\$ 250,529	147,176	\$ 397,705
402 Capital Improvement Fund 2		\$ 2,125,200	\$ 2,125,200		\$ 407,000	\$ 874,848	\$ (467,848)	467,848	\$ -
466 Pavilion and Ice Rink		\$ 40,000	\$ 40,000		\$ 40,000	\$ 40,000	\$ -	7,501	\$ 7,501
498 Cemetery Improvement		\$ 12,500	\$ 20,000		\$ 12,500	\$ 20,000	\$ (7,500)	281,148	\$ 273,648
<b>Capital Funds</b>		<b>\$ 2,892,700</b>	<b>\$ 3,087,700</b>		<b>\$ 835,456</b>	<b>\$ 1,060,275</b>	<b>\$ (224,819)</b>	<b>\$ 903,673</b>	<b>\$ 678,854</b>
<b>Enterprise Funds</b>									
582 Electric		\$ 13,976,404	\$ 15,252,839		\$ 14,293,702	\$ 18,110,307	\$ (3,816,605)	17,951,744	\$ 14,135,139
591 Water		\$ 3,826,439	\$ 4,055,778		\$ 3,865,678	\$ 4,296,384	\$ (430,706)	7,685,403	\$ 7,254,697
592 Sewer		\$ 2,385,017	\$ 2,497,590		\$ 2,432,300	\$ 2,655,141	\$ (222,841)	6,979,473	\$ 6,756,632
594 Marina		\$ 520,000	\$ 558,131		\$ 570,000	\$ 590,561	\$ (20,561)	2,391,030	\$ 2,370,469
545 Black River Park		\$ 151,500	\$ 165,923		\$ 167,500	\$ 174,808	\$ (7,308)	570,415	\$ 563,107
577 Beach Parking		\$ 219,000	\$ 239,307		\$ 249,000	\$ 318,714	\$ (69,714)	178,241	\$ 108,527
<b>Enterprise Funds</b>		<b>\$ 21,078,360</b>	<b>\$ 22,769,568</b>		<b>\$ 21,578,180</b>	<b>\$ 26,145,915</b>	<b>\$ (4,567,735)</b>	<b>\$ 35,756,306</b>	<b>\$ 31,188,571</b>
<b>Internal Service Funds</b>									
636 Information Services		\$ 298,000	\$ 298,000		\$ 296,284	\$ 295,200	\$ 1,084	139,456	\$ 140,540
661 Motor Pool		\$ 817,292	\$ 970,308		\$ 836,296	\$ 1,102,308	\$ (266,012)	2,489,468	\$ 2,223,456
677 Self-Insurance Fund		\$ -	\$ 151,200		\$ 7,000	\$ 152,000	\$ (145,000)	762,477	\$ 617,477
<b>Internal Service Funds</b>		<b>\$ 1,115,292</b>	<b>\$ 1,419,508</b>		<b>\$ 1,139,580</b>	<b>\$ 1,549,508</b>	<b>\$ (409,928)</b>	<b>\$ 3,391,401</b>	<b>\$ 2,981,473</b>
<b>Total</b>		<b>\$ 37,434,038</b>	<b>\$ 40,508,884</b>		<b>\$ 36,164,580</b>	<b>\$ 42,851,122</b>			

**CITY OF SOUTH HAVEN  
SUMMARY BY FUND GROUP  
FY 2015**

Fund Group	Original Budget	Original Budget	Budgeted	Amended Budget	Amended Budget	Amended
	Revenues	Expenditures	Addition (Use) of Fund Reserves	Revenues	Expenditures	Addition (Use) of Fund Reserves
General Fund	\$ 6,664,008	\$ 6,608,788	\$ 55,220	\$ 6,953,377	\$ 7,438,021	\$ (484,644)
Special Revenue Funds	\$ 2,363,192	\$ 2,652,556	\$ (289,364)	\$ 2,383,992	\$ 2,973,254	\$ (589,262)
Component Units	\$ 2,026,241	\$ 2,676,519	\$ (650,278)	\$ 1,979,750	\$ 2,389,904	\$ (410,154)
Debt Service Funds	\$ 1,294,245	\$ 1,294,245	\$ -	\$ 1,294,245	\$ 1,294,245	\$ -
Capital Funds	\$ 2,892,700	\$ 3,087,700	\$ (195,000)	\$ 835,456	\$ 1,060,275	\$ (224,819)
Enterprise Funds	\$ 21,078,360	\$ 22,769,568	\$ (1,691,208)	\$ 21,578,180	\$ 26,145,915	\$ (4,567,735)
Internal Service Funds	\$ 1,115,292	\$ 1,419,508	\$ (304,216)	\$ 1,139,580	\$ 1,549,508	\$ (409,928)
<b>Total</b>	<b>\$ 37,434,038</b>	<b>\$ 40,508,884</b>	<b>(3,074,846)</b>	<b>\$ 36,164,580</b>	<b>\$ 42,851,122</b>	<b>(6,686,542)</b>

# Parks Commission

## Regular Meeting Minutes

Tuesday, March 10, 2015  
6:00 p.m., Council Chambers



City of South Haven

### 1. Call to Order by Reinert at 6:00 p.m.

### 2. Roll Call

Present: Cobbs, Fitzgibbon, McAlear, Toneman, White, Reinert  
Absent: Moore

### 3. Approval of Agenda

Reinert noted that a motion is needed to replace page thirty-nine (39) with the handout provided by Halberstadt.

Motion by Cobb, second by McAlear to replace page thirty-nine (39) of the agenda with the handout provided by Halberstadt.

All in favor. Motion carried.

Motion by McAlear, second by Cobbs to approve the agenda as amended.

All in favor. Motion carried.

### 4. Approval of Minutes for the Record – February 10, 2015

Motion by White, second by Toneman to approve the February 10, 2015 regular meeting minutes for the record.

All in favor. Motion carried.

### 5. Public Comments and Inquiries Concerning Items not on the Agenda

None at this time.

### OLD BUSINESS

### 6. Commission will be requested to review revised plans for improvements to the South Beach restroom and concession area.

Nate Bosch with GMB Architects. One of the items that came out of our discussion at the last meeting was the need for a permanent covered structure for use during inclement weather. All of the new plans incorporate some sort of shelter.

Bosch then reviewed the plans, noting that these show future build-out, such as the proposed splash pad, so some of the project may be completed in phases.

Bosch explained the various components of the three options, noting that each plan changes the way the site functions and access through the site.

Jeff Hoag, GMB Architects. Removing the parking lot and putting that area to use as the splash pad area allows better utilization of that area and access through the site is improved. However this was not part of the original plan and will probably require phasing the project.

Reinert asked if GMB has a recommendation to which Hoag responded, "We want to hear from you. Option One (1) would be the most cost effective solution, although it might not necessarily be the best solution. Based on conversation with Brian Dissette and Roger Huff the best way to think about this is as a phased project. That is what master planning is all about."

Halberstadt suggested that the board review the floor plan options.

McAlear assumes Plan One (1) is least expensive and Plan Three (3) is most expensive. After corroborating McAlear's assumption, Hoag responded to another question by stating that Option Three (3) includes retaining the pavilion, which would be refinished due to its worn condition.

In reviewing the floor plans with the board, it was noted that the first floor plan in the packet shows the existing restroom layout "as is." The next floor plan shows what the women's remodel could look like within the existing restroom building while turning the existing pavilion into a men's restroom. The Second Option shows the renovated men's room, with family and storage in the existing women's.

The next plan renovates the men's room, expands the women's room and adds three (3) family restrooms, closest to the proposed splash pad. This assumes an addition to the existing restroom facility.

The final floor plan shows the pavilion being turned into a combination concession stand/pavilion. Downfalls to this option would be the location of the concession tucked back into where the pavilion is, which could affect visibility and as a result, sales, and the covered pavilion area might be mistaken as part of the concession and not for the use of people who are not purchasing something from the concession.

After a question from Fitzgibbon about the suggestion from the last meeting of covering the area between the two facilities, Hoag responded that he felt that with the facilities being restroom facilities, it would be good to kind of separate the restrooms from the covered shelter.

After questions regarding the size of the splash pad, Halberstadt noted that these drawings are just conceptual, and do not reflect any particular size. The idea was to show how this area could serve both the beach and the splash pad.

McAlear asked, in doing this, knowing that South Beach is extremely busy, how the consultants come to the determination of how many restrooms are needed. Hoag said that generally is driven by the number of parking spaces or by fixed seating, so with users walking in or parking elsewhere to access the beach, it is difficult to know how many fixtures are needed.

McAlear asked if all three concepts are cost effective. Hoag responded that for all work we are showing, specifically the parking portion will stress the budget, beyond what is cost effective for a Phase One (1) project. Hoag noted that the city manager urged that GMB look at breaking the plan apart, bringing the plan within budget, and phasing it.

McAlear noted it would be nice to have those family restrooms on the beach; likes that concept very much. Hoag pointed out that Option Two (2) and Three (3) are clearly more expensive based on the scope and added, "That doesn't mean we couldn't work back and forth between the two to make them more cost comparable."

In response to Reinert's question of what the commission's task is this evening, Halberstadt said, "We would like to hear whether any of these is something you would accept and if not, tell us where you would like us to go."

Toneman agreed with McAlear about family bathrooms, but asked how the commission can make this decision, knowing that we may not be able to afford it. McAlear said his understanding is that the commission is supposed to bless the concept and the financial part goes upstairs. Toneman agrees that the second and third options are better than Option One (1) and would like to see the cost comparison. Halberstadt said if you would like to see costs on Options Two (2) and Three (3), staff can bring that back to you.

Fitzgibbons said Council's priority is to bring a concession stand to the site, adding, "That is first and foremost in our minds. Yes, we want a splash pad; that can come later. The bathrooms need improved also. The addition would really be necessary when we have the splash pad."

Reinert noted, "We probably all agree that Option Three (3) would be great to have. McAlear asked if we could recommend one of the three for the city to explore to which Reinert responded that would probably be good. Halberstadt pointed out that would let the city move forward with plans, adding, "If you choose an option with family restrooms, staff might be able to leave the family restrooms open for longer than typical seasonal use."

Reinert said the first choice is Option Three (3) but we need to look further. "Could we entertain a motion of support for Option Three (3) pricing coming back to us with the understanding that alterations might need to be made to that due to financial need?"

McAlear asked if the Parks Commission decides the financial side to which Reinert responded that the Parks Commission just looks at the concept.

Motion by McAlear to approve Option Three (3) for City staff to move further in exploring the concept including cost estimates. Second by Cobbs.

Yeas: Cobbs, Fitzgibbon, McAlear, White, Reinert  
No: Toneman

Motion carried.

## NEW BUSINESS

### **7. Commission will be requested to review the Master Plan for improvements to the Lake View Cemetery prepared by Abonmarche.**

Lisa Vanbladeren with Abonmarche Consultants Inc. presented the Master Plan for Lakeview Cemetery.

The motivation is to extend the overall lifetime of the cemetery infrastructure, including timely upgrades over a period of time. In developing the Master Plan of the cemetery, Abonmarche did a walk through, a site review, met with city staff to get an idea of wants and needs, reviewed existing conditions and prioritized projects. The Developed Master Plan includes storm sewer and drainage, waterways and hydrants, as well as retaining walls.

Storm drain conditions: there is a lot of impediment with the structure, such as dirt and leaves. Unable to get a good idea of what is occurring in the storm sewer system; catch basins are eighteen (18) to twenty-four (24) inches below grade which is a problem for vehicles moving through the cemetery. The storm sewers cannot easily be replaced in their current alignment because they wind through the grave system.

There are three (3) overall catchments in the overall cemetery which Abonmarche will work with to create the new storm system. This has been broken up into more feasible chunks of work.

Catchment A: will include replacement of five (5) storm structures and reconstruction of the road over that. Work will include removal of existing structures in the roadways; catch basins will be located at roadway edge and run up to flush with the grade and the roadway will be reconstructed. Salvaging of the old storm sewers is unlikely due to the nature of the existing network.

Catchment B: the bottom left corner is an area of concern due to the existing grade which gives this a higher priority in the storm sewer network. Towards the center near the North Bailey entrance is a crumbling concrete swale, causing erosion due to overflows and spillage. Abonmarche proposes replacing this with an earth swale.

Catchment C: another area of concern is flooding in the maintenance building area where most funerals are staged, which has a higher priority. Phase 2 will include replacing the catch basins and roadwork.

Yard hydrants: Of the thirty-one (31) hydrants in the cemetery, eighteen (18) are standard post mounted spigots which are mounted at eighteen (18) inches and the balance are hand pumps. Staff has received complaints that the hand pumps are hard for elderly people to

operate and the eighteen (18) inch mounting of the spigots is too low for ease of filling watering cans. Abonmarche proposes replacing all of those, choosing one style to make a uniform choice throughout, putting in either the spigots mounted higher or using the hand pump hydrants since they are frost free.

Storm sewer system road reconstruction: Abonmarche used a standard rating system scaled one (1) to ten (10) with ten (10) being the best. There is a lot of variability in the condition of the roads; it is a low traffic area. There are six sections of pavement in need of immediate resurfacing. The remaining roadways can be maintained for the next ten (10) years with immediate resealing followed by resealing every three (3) years.

Building and grounds improvements: The City's priorities are improving the Bailey Avenue entrance, which is the main entrance, and some interior retaining walls that need addressing as well as the building/restroom/office and way finding.

At the main entrance, wall replacement and replacing the signage on the wall to make it obviously the main entrance, adding a monument or pillar to enhance that area.

Retaining Walls: Several are in poor condition with cinder blocks coming apart and the concrete wall with stone inlay also deteriorating. Abonmarche proposes replacing all four (4) walls with something uniform that will withstand wear and tear.

Office/Restroom: The existing walk is very narrow and Abonmarche recommends widening the walk to make it ADA (American with Disabilities Act) accessible. Interior remodel will consist of replacing lighting, ceiling, flooring and painting, replacing the furnace with a split system, updating electrical which is not up to code and updating exterior walls, windows, doors and painted surfaces. Abonmarche also proposes a more formal kiosk located at the central location.

Block markers and way finding system will include upgrading the current sticker letters which are stuck onto wood or concrete posts which need to be frequently replaced. Abonmarche proposes something uniform at a standard height with standard lettering; something more attractive and easier to use.

Final cost estimates and schedule; The City would like to address the obvious issues first and spread the rest of the project over the next few years.

Fitzgibbon questioned getting rid of all the storm sewers to which Abonmarche responded that they cannot be removed due to the graves and the manholes cannot even be accessed. Attempt will be made to investigate further closer to the time of construction.

Fitzgibbon questioned whether anything better than the hard to use hand pumps are available.

Fitzgibbon asked whether any of the retaining walls worth replacing to which Lisa Vanbladeren responded that she believes all are crumbling. Halberstadt said the ones near the entrance are made of a nice stacked stone which we could salvage and re-lay. The other are cinder block and somewhat haphazard walls would be replaced with something different, which Vanbladeren said would be something more robust.

Fitzgibbon commented that there is a perpetual care fund and a capital fund. Halberstadt noted we have a fund balance to begin the work, a good chunk of change to begin addressing some of the things we have noted, but the more expensive storm sewer work will have to be phased in future years. Halberstadt is not sure we can do things as aggressively as shown, but these are things to keep in mind as money becomes available.

Fitzgibbon informed that seven (7) to eight (8) years ago city council raised the cost (of interment) with the condition to continue to be raised in three percent (3%) increments to keep up with the cost of inflation. Halberstadt said we may need to look at those costs again and make sure we have them set in the right spot to meet those needs. Fitzgibbons said a lot of people like to be buried in South Haven just because, so council did raise the rate three (3) times higher for non-residents.

Reinert asked what is being asked of the commission tonight to which Halberstadt responded that staff would like to see this plan formally adopted and once again, if you want to take a month to think about it, that is fine. Reinert responded, as did Toneman, that they did not even know the cemetery was under the jurisdiction of the Parks Commission until she looked at the agenda yesterday. Halberstadt said the code of Ordinances states that the Park Commission is the board of trustees of the cemetery.

Reinert said there are some issues, like the hydrants, that she questions. Tony said the issue is the elderly, and Abonmarche has been trying to find out if we can put secondary spigots, staff wants to look at the maintenance of the pumps to see there is something that could be done to make the pumps work more easily. Huff noted we will continue crack-sealing and other road maintenance, we have budget for that, starting with the next fiscal year. Halberstadt said city staff drains the spigot/pumps so there is not a need for the frost free as the system is drained in winter.

White wondered if there is anything particular staff wants to start with. Halberstadt noted we want to start the project in July; the budget, as Huff said, is for the next fiscal year.

Reinert and Toneman agreed that they would like more time to look at it, see how bad the walls are among other things.

Discussion ensued regarding considering a different main entrance than off Bailey. Halberstadt noted that road is not in the best shape. Halberstadt said staff has discussed Bailey, knowing that it will be a major project when time comes to reconstruct it. Staff's thought is that when it is time to rebuild that road it will be a very expensive project due to its condition and location. Halberstadt noted there are additional entrances off Blue Star Highway and Wells Street. Halberstadt noted that site distances at the Bailey driveways are less than ideal. Reinert suggested looking at the other entrances with that in mind since some of it will be part of a long-term plan. Huff agreed this is a master plan. Toneman also felt this would be the time to look at the entrance issue. Fitzgibbon suggested having a meeting at the cemetery or plan to meet out there prior to a meeting. Reinert said she will take a look herself, but maybe that would be a good idea.

## **8. Commissioner Comments**

Fitzgibbons: Was taken by her daughter in Houston to a wooden park like Kids Corner, built by Robert Leathers in 1996, all wood. Noted that in 2010 the community redid the park, in

sections, using composite wood, but there is still a lot of real wood in the system. She has tons of pictures, will have that put into some sort of program that the commission can all look at. In addition, various community organizations have built a little wooden train; kids love playing in this wooden train which has separate train cars with seats inside, each donated by a different community organization. Fitzgibbon suggested little boats for South Haven's Kids Corner.

## **9. Adjourn**

Motion by Fitzgibbon, second by Toneman to adjourn at 6:55 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Local Development Finance Authority

## Regular Meeting Minutes

Monday, April 13, 2015  
4:00 p.m., Council Chambers  
South Haven City Hall



City of South Haven

### 1. Call to Order by Bolt at 4:22 p. m.

### 2. Roll Call

Present: Dotson, Erdmann, Gawreliuk, Klavins, Schaffer, Valentine, Bolt  
Absent: Henry, Herrera, Timmer

### 3. Approval of Agenda

Motion by Valentine, second by Klavins to approve the agenda as amended.

All in favor. Motion carried.

### 4. Approval of Minutes – January 12, 2015 Regular Meeting

Motion by Klavins, second by Dotson to approve the January 12, 2015 regular meeting minutes as written.

All in favor. Motion carried.

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

There were none.

### 6. Financial Report

VandenBosch reviewed the Financial Report.

Motion by Erdmann, second by Klavins to accept the financial report.

All in favor. Motion carried.

### 7. Economic Development Report

Jack McCloughan, Economic Development Director, reported on Economic Development activities.

## **8. 220 Aylworth Offer**

Removed from Agenda.

## **9. Factory Condominium Memorandum of Understanding**

VandenBosch noted that the reimbursement agreement was done in the late 1990s. The LDFA was party to the original agreement so needs to be included in the Memorandum of Understanding and Reimbursement Agreement.

Motion by Klavins, second by Erdmann to approve a resolution authorizing agreements and actions to enable environmental remediation at the Factory Condominium site.

Ayes: Dotson, Erdmann, Gawreliuk, Klavins, Schaffer, Bolt  
Nays: None

Valentine abstained due to ownership in Factory Condominiums.

Motion carried.

## **10. Budget**

VandenBosch reviewed the proposed budget and enumerated the uses of funds under Operating Transfers Out.

VandenBosch questioned some figures included in General Fund transfers and noted that he will request an explanation of the General Fund Transfers.

Motion by Valentine, second by Klavins to approve the budget pending an explanation of General Fund Transfers.

All in favor. Motion carried.

## **11. General Comments**

There were none.

## **12. Adjourn**

Motion by Klavins, second by Schaffer to adjourn at 4:40 p. m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Planning Commission

## Regular Meeting Minutes Thursday, May 7, 2015 7:00 p.m., Council Chambers



City of South Haven

### 1. Call to Order by Paull at 7:00 p.m.

### 2. Roll Call

Present: Heinig, Miles, Peterson, Smith, Stimson, Wall, Webb, Paull  
Absent: Frost

Motion by Stimson, second by Wall to excuse Frost.

Also present: Linda Anderson, Zoning Administrator and Paul VandenBosch, Projects Manager/Assistant City Manager

### 3. Approval of Agenda

Motion by Heinig, second by Smith to approve the agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – April 2, 2015

Motion by Heinig, second by Peterson to approve the April 2, 2015 regular meeting minutes as written.

All in favor. Motion carried.

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

### 6. New Business – Public Hearing

- a) A continuation from March 2015 of the public hearing on Joe Wiltgen's special use permit to construct a planned shopping center on his property at 330 Blue Star Highway. The hearing is required because the proposed commercial center will have more than two (2) units. The applicant intends to demolish the building

**currently on the site and rebuild. This special use hearing is authorized in zoning section 802-1. The parcel number for the project is 80-53-552-016-01.**

Anderson reminded commissioners of Wiltgen's presence at the last meeting requesting a special use for his strip mall where the car wash now sits. This public hearing was continued to allow for variances to be determined and engineering issues to be resolved. Anderson noted that Wiltgen received the variances at the Zoning Board of Appeal's last meeting and engineering issues have mostly been resolved. Anderson asks that any approval be contingent on a letter from the city engineer stating the final engineering issues have been corrected.

Peterson asked the commission whether he should participate in the vote since he is helping design the proposed structure.

After discussion, motion by Wall, second by Smith to exclude Peterson from the discussion and the vote.

All in favor. Motion carried.

Motion by Wall, second by Miles to continue the public hearing.

All in favor. Motion carried.

No comments offered.

Motion by Heinig, second by Smith to close the public hearing.

All in favor. Motion carried.

Heinig asked for clarification of whether the Zoning Board of Appeals granted both variances to which Anderson responded yes, that the applicant had amended the site plan so only two variances were required and those were granted unanimously by the Zoning Board.

Smith noted that if the issues are resolved he's good.

Webb asked if the lighting is one of the issues. Paull said there are requirements for night sky compliant lighting. Anderson confirmed that night sky compliant lighting will be verified before permits are issued.

Motion by Smith to approve the special use permit contingent on final approval by the city engineer. Second by Wall.

All in favor. Motion carried.

**b) A request from the Factory Condominium Association, 125 Elkenburg Street, and the City of South Haven to amend the approved planned unit development (PUD) to allow demolition of the former health club on the property. The parcel number for the project is 80-53-077-001-20.**

Anderson noted that there are representatives here to speak to this request and she will let them do their presentation. She reminded commissioners that any motion should be a recommendation to city council to amend the Factory Condominium Planned Unit Development.

Motion by Wall, second by Heinig to open the public hearing.

VandenBosch noted that he represents the city and Factory Condominium for this application, adding that this used to be a factory called Belgravia. One thing that company did was use metal plating fluids and solvents to clean the metal before it was plated. Disposal was by use of a septic tank.

When the developer (of Factory Condominiums) came in and testing was done at the surface, there were issues but a plan was developed consisting of a rubber boot and ventilation system being installed to deal with vapor issues. However as time went on, testing was done deeper and deeper. While initial testing was fairly shallow, there were at least three (3) sessions of testing and as they went deeper to ten (10) to thirty (30) feet down a plume of Trichloroethylene (TCE) solvent was discovered. VandenBosch further explained that the plume is still there, and while a small amount has been removed, the plume has moved north and west and there is a hot spot just underneath the site of the septic tank.

VandenBosch explained that the city and condominium association have been working with the Department of Environmental Quality (DEQ) to bring in a process to heat up the solvent and capture the vapors. The city's role is to demolish the health club so the DEQ can assess the contamination. They have a memo of understanding and a number of other agreements that have been completed. The DEQ and the contractor working with the DEQ are here to give a more detailed presentation.

Paull asked, "Testing was done and some TCE was found but not the source of the contamination? Did no one know the tank was there; did they ignore it, was someone lied to?" VandenBosch responded that he does not believe the city, the developer or anyone involved knew that there was a septic tank that was used. Paull found that amazing. VandenBosch pointed out that once something is underground it is easy to not know it is there.

Stimson asked if the city residents will be informed when the actual work is going to be done. VandenBosch explained that the city was hoping to have a crowd here; the city did the required three hundred (300) foot mailing in hopes of public input. The DEQ has not yet started public input; there will be contact with the neighbors. VandenBosch noted that this is our first attempt, after city council Monday, to inform the public.

Ray Spaulding, DEQ Project Manager introduced himself.

Paull asked, "Are you not heating TCE to a volatile gas so you can then extract it from the ground?" Spaulding responded that the presentation they have will show how they are going to do that. "We tried to do this with the health club in place, but now with the demolition of the health club, we can proceed with the extraction." Spaulding noted that a trade contractor will be hired to do the work. Mr. Raetz is here to do a short presentation.

Richard Raetz, Global Remediation Technologies. Presented a slide show called "Thermal Remediation of Chlorinated Solvents" and noted he has been involved with this technology since 1994 and been involved with this project since 2004.

Raetz explained that this presentation shows a bit of what we discovered and the feasibility study showing the best option for this site. This is a fairly complicated project and involved several from our firm and input from three (3) or four (4) firms around the world that know this technology really well. Noted one company with which consultation was done was McMillan & McGee Corp.

Raetz oriented the commission to the site using an overhead screen, indicating streets and then providing a closer view of the health club area. "There are horizontal laterals underneath the concrete, and a shop vacuum type of extractor will be used to pull that contamination out." Another view showed the area underneath the building proper and Raetz indicated that the contractor will cut through near the Orchard area. Raetz also displayed a cross section of the area underneath the building, noting that this contamination is a sinker, rather than a floater, and has pushed about thirty-eight (38) feet into the clay.

Thermal remediation, as explained by Raetz, raises the temperature of the chemicals; the two liquids (chemicals and water) will come together and boil; the contractor will then extract the vapor and bring it to the surface. Electrodes will be placed in a triangular pattern; the current reaches across the ground to the grounding electrode and sweeps the contamination towards extraction wells, which pull up both liquid and vapor, which are then separated and treated. The water is treated and re-used in the process; the vapor is treated to reach the DEQ's standards for air quality. Raetz stated that this technology is beautiful for this clay soil; this process frees up contamination for recovery.

Raetz explained this process as being similar to shaking a can of Coke and popping the top; the pressure comes out as a gas. "We will be doing the same thing; making those chemicals want to come out of solution." A slide showing how thermal remediation works was displayed and Raetz explained in detail. "The idea is to use positive and negative electrodes; heat is generated; water temperature increases; solubility is created and the contaminants are extracted using vacuum technology."

Raetz indicated that this process will commence with about an eight (8) week construction project with equipment sited in the back yard of the condominium building. A vapor cap that holds in heat and helps extract vapors will be installed across the surface of the ground while extraction wells will be installed in the center and around the perimeter to draw out water and heat.

There will also be safety measures taken using electrical current along with the grounding electrodes. Technicians will go around the perimeter looking for stray current, wanting it to be less than seven (7) to nine (9) volts and wanting there to be nothing by the houses. Everything will be tested before starting and then the voltage will be slowly brought up; this process is run by a control panel that helps them watch the voltage and amperage for every well. There will be remote monitoring with shut down capability and a security system; this area will be closed off and gated. Everything is grounded in pods; all equipment will be housed in these pods.

Raetz indicated that since this is volatile we will monitor the perimeter soil gas. "Is there any concentration of chlorine solvents in the little area at the top of the ground?" We will monitor and track that. Having the floor gone will be terribly helpful in reaching what the industry calls the mother lode; there will be extraction systems running as well as the condo's extraction system they have always had.

Time wise this is not a quick process. Raetz noted it will take about eight (8) weeks to build; another eight (8) weeks to heat the ground up to get a temperature in a window you are looking for and a four (4) to six (6) month heating and extraction time. Then there is an eight (8) month contingency; once extraction is seventy percent (70%) complete, we will do testing. At the one hundred percent (100%) we will again do testing. Finally, it takes another eight (8) weeks to cool down; shut it down; do more testing and once there is a clean bill of health we give the contractor permission to demobilize.

Heinig asked how many years to get the site cleaned up to which Raetz responded that it is intended for six (6) months of active treatment; essentially plan for about a year, then after the treatment is done, we are taking the two million dollars (\$2M); going for the greatest mass and doing some monitoring for some years into the future.

Smith asked if this is ever going to be a habitable property or will just have to sit vacant. Raetz said the answer is yes; we are going to get rid of most caustic properties and then monitor it. Raetz noted that there are many sites in the state of Michigan that have residual; risk assessments can be done. Can it self-restore over years, decades or centuries? Raetz explained that getting rid of the heart of the contamination will drastically take care of issues and will help the residents in the area from long-term risk exposure.

Smith asked, "When we are all done, is it capped again at the end? And what about the westerly migration?" Raetz responded as far as capping, everything you see will be removed; one of the details of design is the thought of leaving a cap underneath the top soil, about two feet (2') in depth, so rainwater can't push down through. Regarding migration, Raetz explained that the bloom is moving slowly due to the density of the clay soil but there will still be some migration. There are cap sumps in place to conservatively protect the adjacent properties. Raetz elaborated that while it is very slow-moving it obviously has moved and expanded over decades.

Peterson asked if this was a historic structure could the contamination be extracted horizontally. Raetz explained that was looked into that but it is so much more expensive; is it conceivable? Yes. But the project got set aside because that amount of money wasn't available."

Paull noted to the commissioners that they are being asked to recommend to City Council that the condominium association demolish the building so this process can go forward. While there are pros and cons, since this is in a congested area, Paull feels there are mostly pros. Anderson reminded that the recommendation needs to be an amendment to the Planned Unit Development (PUD).

Motion by Smith to recommend that city council approve the amendment to the approved Planned Unit Development (PUD) to permit demolition of the former health club on the Factory Condominium property. Second by Wall.

All in favor. Motion carries.

Wall noted that the public hearing had not been closed; this was confirmed by scanning through the minutes.

Motion by Wall, second by Stimson, to close the public hearing.

All in favor. Motion carries.

The commission decided that the motion should be made again outside the public hearing.

Motion by Smith to recommend that city council approve the amendment to the approved Planned Unit Development (PUD) to allow demolition of the former health club on the Factory Condominium property. Second by Wall.

All in favor. Motion carries.

## 7. Other Business

### a) **Joe Wiltgen's request for site plan approval to construct a planned shopping center on his property at 330 Blue Star Highway**

It was noted that Commissioner Peterson again will abstain from discussion and vote.

Motion by Stimson to approve the site plan for the planned shopping center on Wiltgen's property at 330 Blue Star Hwy. Second by Wall.

All in favor. Motion carried.

### b) **Subcommittee report on proposed changes to the R1-C zone.**

Paull introduced this as something we were charged with by City Council to review as part of their 2015-2016 ordinance review goals. Anderson explained that council specifically targeted the R1-C zone as one of their objectives this year. The R1-C zone is Monroe Park, a very congested area with small setbacks, known for problems with run-off onto neighbor's properties and building on neighbor's properties. Anderson noted that the sub-committee has been working hard and will bring the rest of you up to speed on that. Once you are okay with the proposed amendments we will move into public hearing. Anderson noted that we want to do this in the summer so the summer people can be here.

Paull said part of dealing with this area is that it is very historic. When you start talking about it people get upset and do not want anyone to "mess with this". We have tried to come up with some ideas for this zone. The members of the sub-committee will present the results of our discussion.

Stimson: Health and Safety. We had the fire marshal come and talk to us about this. Some of the older structures are so close together that it creates a fire safety issue, not only for the people involved in the fire, with fire jumping from structure to structure, but also the safety of our fire fighters having to struggle with equipment between buildings. The low water pressure is another issue as the area was never intended for the density now seen. The fire chief is supportive of what we have suggested and we really need to do this to keep the people in that area and our fire fighters safe.

Peterson: Water run-off and pervious surfaces. Peterson distributed handouts about materials available. This may seem trivial compared with life safety, but with three foot (3') setbacks; small lots and buildings built to setbacks, what is not built on is a sidewalk or driveway of impervious materials. Rainwater, storm water and drainage are issues. Generally it is required that you cannot drain water from one property to another, so pervious hardscape materials would be something to suggest for new development. Dry laid pavers allow water through the cracks; grass pavers and pervious asphalt are all options which exist. These are small lots; it is not like the owners need to cover acres, the driveway and sidewalk would be a small part. Some of these materials are in use in the city already; near the Depot there is crushed granite. Flexi-stone, a pervious product that looks like a pile of rocks and is attractive, is another option and in use in the downtown around trees.

Heinig: Increasing setbacks. Noted that to increase the setback we could not decrease the buildable area; explained how the buildable area was determined and noted that from that we could add any width we wanted to. Heinig looked at four (4) foot; six (6) foot and eight (8) foot setbacks. The eight (8) foot setback allows firefighters to get a fire truck in there; it is close but it is the minimum recommended by the fire marshal. The same buildable size can be maintained. We are used to looking at thirty-five (35) to forty-five (45) percent lot coverage in city zoning districts. Monroe Park's soil is very permeable, so fifty percent (50%) lot coverage is being suggested for this area, which allows the homeowner to take care of his own run-off without irritating his neighbors, especially with the help of pervious pavers.

These suggestions/recommendations will be included in any recommendation we make.

Anderson added that Monroe Park was probably not meant to be filled with very large homes as it is; it was originally very small cottages. Lots are being split; houses are bigger and the water lines serving the area are so small it makes firefighting very difficult. The only other alternative is to install larger water lines, so if the suggestions noted are not something that people want to do, the city may need to look at assessments for better water lines. The fire chief said he just hopes every day there is not a fire in that area.

Webb asked whether when new homes are built they just tap into the existing lines to which Paull and Anderson responded yes. Webb asked if the city has been looking at this to which Anderson responded the city has considered putting in new water lines, especially if the real dense development continues; there would not be the water pressure to fight fires.

Stimson noted that the changes to the article are at the very end of your document, so you can see where the setbacks were changed and where we added the pervious surface requirement and what we've taken out.

Paull indicated that the commission does not need to vote but could instruct Linda to move forward. Consensus by the board is to do the public hearing in July, when more people will be here.

## **8. Commissioner Comments**

Miles; Thanked the businesses in town for being generous with the Blossomtime Float and parade.

Webb: No comment

Stimson: Really liked working with the sub-committees and is learning a lot.

Heinig: No comment

Peterson No comment

Smith: Thanks to the subcommittee

Wall: Happy Mother's Day to all the mothers out there.

Paull: Good meeting; learned a lot tonight.

## **9. Adjourn**

Motion by Heinig, second by Stimson to adjourn at 8:00 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Parks Commission

## Regular Meeting Minutes

Tuesday, May 12, 2015  
6:00 p.m., Council Chambers



City of South Haven

### 1. Call to Order by Reinert at 6:00 p.m.

### 2. Roll Call

Present: Cobbs, Fitzgibbon, McAlear, Moore, Toneman (6:26 p.m.), White, Reinert  
Absent: None

### 3. Approval of Agenda

Motion by Fitzgibbon, second by Cobbs to approve the May 12, 2015 Regular Meeting Agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes for the Record – March 10, 2015

Motion by White, second by Cobbs to approve the March 10, 2015 Regular Meeting Minutes as written.

All in favor. Motion carried.

### 5. Public Comments and Inquiries Concerning Items not on the Agenda

John Duda, 114 South Haven Street. Spoke about pickle-ball. Explained that their spokesperson is not present and the group selected him to take the spokesperson's place. Attended City Council last month and they referred us to this meeting. Hopes the city might allocate some funds for pickle-ball courts. Spoke about the history of pickle-ball and its growth locally and nationally.

Reinert asked if pickle-ball is played on indoor or outdoor courts to which Duda responded that courts can be either indoors or outdoors. Duda said there are indoor courts in South Haven at the Senior Center on 76<sup>th</sup> Street and at Baseline Middle School in the gym.

Gerry Tremaine, 225 Dyckman Avenue. Spoke about pickle-ball being very popular in Arizona where she spends the winters, in both adult and regular communities.

Discussion ensued regarding where pickle-ball can be played; that pickle-ball is being taught in the local middle school and has been for some years; and has been introduced at the Senior Center on 76<sup>th</sup> Street.

Tremaine feels a lot of people in town that would be interested but cannot play at the senior center because it is not open evenings and weekends.

Duda outlined his efforts to speak with someone at the schools to inquire whether people could use the courts in the gym at Baseline at times when it is not in use by the school. Neither of the people he was referred to was available.

Discussion ensued regarding the tennis courts at Baseline Middle School; the type of surface needed for pickle-ball; ways to use other facilities on a temporary basis and the cost of pickle-ball courts.

Fitzgibbons explained that the first thing with anybody who wants to look for grants or a new facility in the city needs to do is to get the activity written into the City Recreation Plan which has to be redone every five (5) years by state law. Halberstadt believes that the current Rec Plan was last done in 2013 but noted that an amendment could be made at any time. Fitzgibbon suggested that the group talk to the schools, inquire at the old hotel that had racquetball courts and the Wellness Center. "Most people who come to the city and have an idea, we support it, but it's the community that needs to fundraise. Your best bet is to start a fundraising campaign; this is not something that can be done very quickly."

Halberstadt said the city could help with cost estimating that type of facility; the next step would be to begin an analysis of our existing parks facilities, and which one pickle-ball would best fit in.

Reinert suggested the group talk to the school and keep the Parks Commission posted on their response.

Duda asked how the city got the basketball courts at Elkenburg Park. Halberstadt said it was a grant the city got through the State; a Natural Resources grant which is available annually; this year the city has a request in for renovations at the North Beach.

## OLD BUSINESS

### **6. Commission will be requested to continue their review of the Master Plan for improvements to the Lake View Cemetery prepared by Abonmarche.**

Haberstadt said he did not request Abonmarche to come back; most of you were here for their presentation and if not Halberstadt would be glad to answer any questions. The basic thing is to talk about moving forward with this. There was some discussion at the last meeting about visiting the cemetery, either as a group or individually and Halberstadt is happy to arrange something if that is still an interest.

Bob McAlear read this over and thinks he has a grasp on it; read it again twice since but has some questions:

- 1.) "Abonmarche is a consulting firm? An engineering consulting firm?" Halberstadt responded yes.
- 2.) "What they did was study the cemetery and identified the issues; prioritized those issues and then laid out a schedule over a five year period, as how they thought it best to attack those issues? Then assigned a guesstimate budget to each one of those issues?" Halberstadt said yes.
- 3.) "We have a professional study?" Halberstadt responded that is correct.
- 4.) "You do not want a line-by-line analysis from us, but you need us to "pull the trigger" so city staff can get to work?" Halberstadt agreed.

McAlear proposed that he make a motion; Fitzgibbon requested discussion.

Fitzgibbon stated that she went down and talked to the staff at the funeral home because "funeral home staff is there more than any of us." Referring to some notes, Fitzgibbon stated that she did not know that South Haven Township does not have a cemetery; they are charged one thousand five hundred dollars (\$1500) to be buried there because they are non-residents. There was discussion of summer residents also requesting to be buried in South Haven's cemetery and they also pay a higher non-resident rate. Fitzgibbon noted that she recalls that the rate was made three times the regular rate to try to preserve space for people who have made South Haven their year-round home and contributed to the community.

Referring to the bathroom remodel in the Abonmarche plan, Fitzgibbon asked, "It's not a public restroom?" Halberstadt responded, "It is located in the sexton's office and it's only public if the sexton happens to be in the cemetery. To access the restroom one has to walk through the sexton's office."

Funeral home staff wondered about the maintenance building, according to Fitzgibbon, and she wondered if instead of re-doing the sexton's office restroom whether the maintenance building could be made into the sexton's office with restrooms since it is larger. Halberstadt noted it has not been discussed and he thinks there is not water and sewer to it. Fitzgibbon said it was her understanding that there was water to the building and noted that these are just things to think about when you go back to Abonmarche. It was also noted that the maintenance building is not centrally located as is the sexton's office.

Fitzgibbon also spoke about which entrance is used and noted that funeral home staff stated they use the Wells Street entrance because it is closer and easier. Funeral home staff also noted that there is no sign on Wells Street so if people get separated they don't know where to go; when they see the maintenance building near that entrance they aren't always sure they are in the right place.

Fitzgibbon noted that funeral home staff also pointed out that there are areas that are filling up and wondered about expansion. During the ensuing discussion regarding expansion, Halberstadt noted that the "Blue Star Highway dump site" may be part of the cemetery. "It's been used for river dredging; public works still uses it for storage of leaves. I don't think it's going to be a very good cemetery site after all the uses of the city." Halberstadt noted it would be good to have the projections the cemetery staff has on how long it will be before

areas in the cemetery fill up. It was also pointed out that the Blue Star dump site is across the street from the existing cemetery.

Discussion ensued regarding abandoning existing drain pipes due to them running under gravesites as well as preserving some fairly new drains that have been put in place.

Reinert said it would be recommended that Abonmarche take time to explore the entrances and think about the drain work being done and consider the area from a funeral director's viewpoint for where people will be buried in the future.

Moore asked if budget is being discussed and where the money is coming from to which Fitzgibbon responded that there is a perpetual fund which will be used.

Moore asked why we, the Parks Commission, are dealing with the cemetery which Fitzgibbons explained is because the cemetery is part of the city parks system.

Fitzgibbon spoke about the need to get the drains in and the retaining walls repaired.

Halberstadt explained that the engineering study was trying to determine the current needs of the cemetery; Abonmarche was not thinking about reconfiguring the entrances or when the cemetery will fill up.

Motion by McAlear to approve the engineering study, second by Fitzgibbon.

All in favor. Motion carried.

## NEW BUSINESS

### **7. Commission will be requested to approve a request from the South Haven Historical Association for creation of a donor plaza and interpretive area for the South Pierhead Light.**

Halberstadt noted that the handouts provided are similar to what was presented at the March meeting by GMB Architects. This drawing has been changed to provide space to HASH (Historical Association of South Haven) for their proposed donation area along the main harbor walk north of the concession stand. This would be an area with pavers that could be engraved. Other major donors could potentially erect a small wall. Halberstadt would like to find out what ideas the Historical Association of South Haven (HASH) has and bring that back to the commission. City staff is looking for a motion that would approve moving forward with this project.

After a little discussion regarding walls and markers, Moore asked the size of the interpretive area indicated, to which Halberstadt responded he envisions something similar to other harbor walk markers. It will not be possible for people to see inside the lighthouse on a regular basis so there may be a couple of video displays so people could see what it looks like inside. Reinert said she would be concerned about any wall being erected in that area and how long does this project will go on. Halberstadt said maybe that entire length would be done with bricks and then if they sold additional bricks some of the plain bricks could be replaced with engraved bricks. Reinert asked who would maintain this area to which Fitzgibbons said according to the gift policy HASH would be required to do the maintenance.

McAlear agreed that the area needs to be something flatter (not a wall) due to the weather conditions down there. Halberstadt noted that there are some existing wall areas and a brass plaque could be mounted for larger donors and staff needs to find out more about what the historical society is thinking. Halberstadt noted that HASH does want to know that the city supports this.

McAlear said “Conceptually, I think we all agree that it’s a good concept.”

Fitzgibbons explained that a brass plaque is for really large donors like \$10,000 from a business or group. Fitzgibbons noted that according to our gift policy such a donation has to be approved and has to be maintained.

Halberstadt commented that if you approve the concept make the approval contingent on the final plans being brought back and approved by the Parks Commission and subject to the city’s gift policy.

Motion by Toneman to approve the concept contingent on the final plans being brought back and approved by the Parks Commission and subject to the city’s gift policy. Second by Fitzgibbon.

All in favor. Motion carried.

**8. Commission will be requested to review the donation of a Memorial Bench from Beca Gordon.**

Halberstadt said this is similar to other requests for benches in the past year; another memorial bench along the bluff at Monroe Boulevard.

Reinert asks that we get consistent with the benches; Halberstadt noted Bosscher has been ordering the same bench all along. Discussion ensued regarding what would happen if that vendor discontinues the bench, with Halberstadt noting that it is a pretty generic bench and he believes similar benches would be available from multiple vendors. Fitzgibbon asked how many of these are we going to allow along the Monroe bluff to which Halberstadt commented, “That was my question; it’s starting to turn into the Monroe Bluff bleachers.” Reinert asked if there are other locations staff could recommend. Halberstadt said benches could be located in just about any of the city parks.

Toneman agreed that this is something that needs to be looked into; come up with some kind of a plan; hopes that staff will get that back to commissioners with a plan for the future. Fitzgibbons pointed out that the original gift policy gave the parks director discretion of where a gift would be placed, unless there was an extenuating circumstance. “For instance, this man died on the pier so that is why this location was requested.”

McAlear noted that Toneman’s point is well taken and suggested that perhaps Halberstadt’s department should come up with a concept and determine where the benches be placed. Halberstadt said he could develop a master plan of where benches could be located. Reinert said, “And maybe there are other needs.”

Motion by Fitzgibbon to approve the donation of a bench by Beca Gordon to be located in the public right-of-way along the west side of Monroe Boulevard between Chestnut Street

and South Haven Street, similar to the ones already in that area, in memory of Tom Watson.  
Second by McAlear.

All in favor. Motion carried.

Discussion ensued regarding the need for benches in the parks, maybe even picnic tables.  
Moore asked if there is a list of suggested gifts to which Fitzgibbons responded, "It's in the gift policy."

#### **9. Commissioner Comments**

There were none.

#### **10. Adjourn**

Motion by McAlear, second by Toneman to adjourn at 6:58 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

## **SOUTH HAVEN AREA REGIONAL AIRPORT AUTHORITY MINUTES**

May 20, 2015

The Chairman, Ren Wright called a regular meeting of the South Haven Area Regional Airport Authority Board to order at 7:30 PM in the terminal building.

Roll Call: Todd Jensen, Ken Ratzlaff, Dave Orr, Jon Woodhams, Dave Johnson, and Ren Wright. Excused: Don Woodhams, Fred Bower, Barbara Rose, Todd Jensen, and Charles E. Smith.

Agenda: Moved by Ren Wright, seconded by Dave Orr to approve the Agenda, approved.

Public Comments: Sean Thompson from Mead & Hunt gave the board an update on the progress of the taxiway rehabilitation project.

Todd Jensen moved and Ren Wright seconded to approve the Consent Agenda:

- A. Minutes of the Apr 15, 2015 Authority meeting be approved.
  - B. Bills from Apr 16, 2015 through May 20, 2015 totaling \$10,351.32 be approved.
  - C. Manager's report dated May 20, 2015 be approved.
- A roll call vote was taken; Yeas: Jensen, Ratzlaff, Orr, Woodhams, Johnson, and Wright.  
Nays: None. Approved.

Committee Reports: The Executive Committee met on Apr17, 2015 and approved the purchase of a tree from Freeman Lents that penetrates the runway 23 approach.

Old Business: None

New Business: None.

Member Comments: Dave Orr announced that he will be leaving the board and that Jon Woodhams will be the new representative from Geneva Township. Ken Ratzlaff moved and Ren Wright seconded to thank and appreciate Dave Orr for his many years of service on the board. Approved.

David Orr moved to adjourn the meeting at 7:40 pm, seconded by Ren Wright , adjourned.



## **Agenda Item # 7**

### Utility Rate Ordinance; Introduction

#### Background Information:

The City Council will be asked to consider a motion to adopt the utility rate ordinance as presented, thereby adopting a 2% increase for the various components of the water and sanitary sewer utility rates.

During this year's rate setting process, the Board of Public Utilities (BPU) approved an increase of 2% for the various components of the water and sanitary sewer utility rates.

The BPU recommendation for possible changes to the electric utility rates will be forthcoming during the month of July, 2015. As a result, the utility bill comparisons will reflect the adopted 2014 electric rates. The average utility customer will see an increase in their monthly utility bill of approximately \$2.05.

Please review the attached Utility Bill Comparison report based on the average residential utility customer.

#### Recommendation:

Staff recommends that the City Council consider a motion to adopt the utility rate ordinance as presented.

#### Support Material:

Utility Rate Setting Ordinance  
Proposed Water Rates  
Proposed Sewer Rates  
FY 2016 City Residential Utility Bill Comparisons

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO.1018

AN ORDINANCE TO AMEND RATES FOR THE CITY OF SOUTH HAVEN UTILITIES

The City of South Haven Ordains:

SECTION 1

That Section 86-36 regarding electric rates of the Code of Ordinances for the City of South Haven is hereby amended to read as follows:

**Sec. 86-36. Electric rate structure.**

The following are the electrical charges and rates for electrical service customers:

- (1) *Residential customers.* Basic electric charge: \$5.50/month; power usage rate: \$0.100/kWH; energy optimization surcharge \$0.001612/kWH.
- (2) *Commercial customers.* Basic electric charge: \$6.80/month; power usage rate: \$0.11/kWH; energy optimization surcharge \$0.002126/kWH.
- (3) *Commercial power customers.* Power usage rate: .0563/kWH; demand charge: \$11.95/kw; minimum demand: 15 kw/month; primary metered customers: rebate of two percent of kWH usage; energy optimization surcharge \$0.002126/kWH.
- (4) *Industrial and municipal customers.* Power usage rate: .0468/kWH; demand charge: \$11.95/kw; minimum demand: 15 kw/month; primary metered customers: rebate of two percent of kWH usage; energy optimization surcharge \$0.002126/kWH.
- (5) *Unmetered Security/Street Lighting.* 150 Watt Lights - \$9.00/Month. 250 Watt Lights - \$15.00/Month.

The Energy Optimization Surcharge shall terminate on December 31, 2015.

SECTION 2

That subsections 86-71 and 86-72 regarding water rates of the Code of Ordinances for the City of South Haven are hereby amended to read as follows:

**Section 86-71. Standby charge.**

The water standby service fee is based on the size of the water meter used or installed, is the minimum charge, is payable in advance, and is additional to the charge for water use. Such charge is to include the cost of debt service, capital replacement funding, capital improvement and the readiness to serve costs. Such charge is made whether or not the water meter is turned off. Such charges shall be as follows:

	Meter Size Inches	Plant Replacement	City Capital Improvement	Capital Replacement	Ready to Serve	Total
(1)	5/8" or 3/4" meter	\$19.46	\$4.12	\$1.96	\$6.89	\$32.42
(2)	1" meter	\$25.97	\$5.49	\$2.62	\$9.18	\$43.26
(3)	1 1/4" meter	\$37.14	\$7.86	\$3.71	\$13.13	\$61.84
(4)	1 1/2" meter	\$48.36	\$10.23	\$4.86	\$17.08	\$80.53
(5)	2" meter	\$69.08	\$14.63	\$6.93	\$24.42	\$115.06
(6)	3" meter	\$121.10	\$25.58	\$12.14	\$42.74	\$201.57
(7)	4" meter	\$181.40	\$38.39	\$18.25	\$64.11	\$302.15
(8)	6" meter	\$285.01	\$60.30	\$28.65	\$100.73	\$474.69
(9)	8" meter	\$447.94	\$94.88	\$44.98	\$158.35	\$746.15

**Section 86-72. Water usage rate.**

In addition to the standby charge for water, a usage charge is levied which is based solely on the amount of water which is registered on the water meter each billing period. This rate shall be as follows:

- (1) 1st 2,500 cubic feet: \$2.22 per 100 cubic feet
- (2) Over 2,500 but not over 25,000 cubic feet \$2.01 per 100 cubic feet
- (3) Over 25,000 cubic feet \$1.95 per 100 cubic feet

**SECTION 3**

That Sections 86-171 and 86-172 regarding sewer rates of the Code of Ordinances for the City of South Haven are hereby amended to read as follows:

**Section 86-171. Sewer standby service fees.**

The sewer standby service fee is based on the size of the water meter used or installed, is the minimum charge, is payable in advance, and is additional to the charge for sewer use. Such charge is to include the cost of debt service, capital replacement funding, capital improvement and the readiness to serve costs. Such charge is made whether or not the sewer is in use.

	Meter Size (inches)	Debt Service	Capital Replacement	City Capital Improvement	Ready to Serve	Total
(1)	5/8" or 3/4" meter	\$ 5.85	\$ 2.06	\$ 6.26	\$ 8.56	\$ 22.72
(2)	1" meter	\$ 7.79	\$ 2.74	\$ 8.34	\$ 11.44	\$ 30.30
(3)	1 1/4" meter	\$ 11.17	\$ 3.90	\$ 15.57	\$ 16.37	\$ 47.01

(4)	1 1/2" meter	\$ 14.54	\$ 5.08	\$ 22.24	\$ 21.35	\$ 63.22
(5)	2" meter	\$ 20.77	\$ 7.27	\$ 30.50	\$ 30.44	\$ 88.98
(6)	3" meter	\$ 36.35	\$ 12.74	\$ 38.94	\$ 53.27	\$ 141.31
(7)	4" meter	\$ 54.54	\$ 19.11	\$ 58.42	\$ 79.94	\$ 212.00
(8)	6" meter	\$ 85.69	\$ 30.01	\$ 91.79	\$ 125.61	\$ 333.10

**Section 86-172. Sewer usage rate.**

(a) In addition to the standby service charge for sewer, a usage charge is levied which is based solely on the amount of water which is registered on the water meter each billing period. This rate is \$2.74 per 100 cubic feet of water metered.

(b) The sewer usage volume charge for single-family and duplex residential structures for utility bills dated June 1 through September 30 will be based on the average monthly water use billed for the five month period from the November water meter readings through the April water meter readings with a minimum volume charge of 1,000 cubic feet per month. If a month's metered water use is less than the above referenced sewer usage volume calculation, that month's sewer usage volume charge will be based on the metered water use. For new connections with no history of usage, the minimum billing will apply.

**SECTION 4**

If any portion of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

**SECTION 5**

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**SECTION 4**

This ordinance shall take effect ten (10) days after its adoption or upon its publication in the *South Haven Tribune*, whichever occurs later.

INTRODUCED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this 1st day of June, 2015.

ADOPTED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this 15th day of June, 2015.

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Robert G. Burr, Mayor

CERTIFICATION

I, Amanda Morgan, Clerk of the City of South Haven, Van Buren County, Michigan do hereby certify that the above Ordinance was adopted by the South Haven City Council on the 15<sup>th</sup> day of June, 2015; and the same was published in a paper of general circulation in the City, being the *South Haven Tribune*, on the \_\_\_\_ day of June, 2015.

\_\_\_\_\_  
Amanda Morgan, City Clerk

WATER RATES  
FY 2016  
PROPOSED CHANGES

**WATER STANDBY RATES**

Meter Size (Inches)	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>
	Plant Repl	<i>Plant Repl</i>	Capital Imp	<i>Capital Imp</i>	Capital Repl	<i>Capital Repl</i>	R T S	<i>R T S</i>	Total	<i>Total</i>
		1.02		1.02		1.02		1.02		
5/8" & 3/4"	\$ 19.07	<b>19.46</b>	\$ 4.04	<b>4.12</b>	1.92	<b>1.96</b>	6.752	<b>6.89</b>	31.78	<b>32.42</b>
1"	\$ 25.46	<b>25.97</b>	\$ 5.39	<b>5.49</b>	2.57	<b>2.62</b>	8.996	<b>9.18</b>	42.41	<b>43.26</b>
1 1/4"	\$ 36.41	<b>37.14</b>	\$ 7.70	<b>7.86</b>	3.64	<b>3.71</b>	12.872	<b>13.13</b>	60.63	<b>61.84</b>
1 1/2"	\$ 47.41	<b>48.36</b>	\$ 10.03	<b>10.23</b>	4.76	<b>4.86</b>	16.748	<b>17.08</b>	78.95	<b>80.53</b>
2"	\$ 67.73	<b>69.08</b>	\$ 14.34	<b>14.63</b>	6.79	<b>6.93</b>	23.939	<b>24.42</b>	112.80	<b>115.06</b>
3"	\$ 118.73	<b>121.10</b>	\$ 25.08	<b>25.58</b>	11.90	<b>12.14</b>	41.902	<b>42.74</b>	197.61	<b>201.57</b>
4"	\$ 177.85	<b>181.40</b>	\$ 37.64	<b>38.39</b>	17.89	<b>18.25</b>	62.852	<b>64.11</b>	296.23	<b>302.15</b>
6"	\$ 279.42	<b>285.01</b>	\$ 59.12	<b>60.30</b>	28.09	<b>28.65</b>	98.756	<b>100.73</b>	465.39	<b>474.69</b>
8"	\$ 439.16	<b>447.94</b>	\$ 93.02	<b>94.88</b>	44.09	<b>44.98</b>	155.244	<b>158.35</b>	731.52	<b>746.15</b>

**WATER USAGE RATES**

	Current	<i>Proposed</i>	
		1.02	
1ST 2,500 cubic feet:	2.17	<b>2.22</b>	per 100 cubic feet
over 2,500 but not over 25,000 cubic feet:	1.97	<b>2.01</b>	per 100 cubic feet
over 25,000 cubic feet:	1.91	<b>1.95</b>	per 100 cubic feet

SEWER RATES  
FY 2016  
PROPOSED CHANGES

SEWER STANDBY RATES

Meter Size (Inches)	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>	2.00%
	Debt Service	<i>Debt Service</i>	Capital Repl	<i>Capital Repl</i>	Capital Impr	<i>Capital Impr</i>	R T S	<i>R T S</i>	Total	<i>Total</i>	
		1.02		1.02		1.02		1.02			
5/8" & 3/4"	5.73	<b>5.85</b>	2.02	<b>2.06</b>	6.14	<b>6.26</b>	8.39	<b>8.56</b>	22.28	<b>22.72</b>	
1"	7.63	<b>7.79</b>	2.68	<b>2.74</b>	8.17	<b>8.34</b>	11.21	<b>11.44</b>	29.70	<b>30.30</b>	
1 1/4"	10.95	<b>11.17</b>	3.83	<b>3.90</b>	15.27	<b>15.57</b>	16.05	<b>16.37</b>	46.09	<b>47.01</b>	
1 1/2"	14.26	<b>14.54</b>	4.98	<b>5.08</b>	21.81	<b>22.24</b>	20.94	<b>21.35</b>	61.98	<b>63.22</b>	
2"	20.36	<b>20.77</b>	7.12	<b>7.27</b>	29.90	<b>30.50</b>	29.85	<b>30.44</b>	87.24	<b>88.98</b>	
3"	35.64	<b>36.35</b>	12.49	<b>12.74</b>	38.18	<b>38.94</b>	52.23	<b>53.27</b>	138.54	<b>141.31</b>	
4"	53.47	<b>54.54</b>	18.73	<b>19.11</b>	57.27	<b>58.42</b>	78.37	<b>79.94</b>	207.84	<b>212.00</b>	
6"	84.01	<b>85.69</b>	29.42	<b>30.01</b>	89.99	<b>91.79</b>	123.15	<b>125.61</b>	326.57	<b>333.10</b>	

	Current	<i>Proposed</i>	
SEWER USAGE RATE	2.68	<b>2.74</b>	per 100 cubic feet

Residential Utility Bill Comparison  
 PROPOSED RATES EFFECTIVE JULY 1, 2015

5/25/2015

Monthly Usage in Cu. Ft.	1,000		
Current Water Rate per 100 Cu. Ft.	2.17		
Proposed Water Rate per 100 Cu. Ft.	2.21	2%	1.02
Current Sewer Rate per 100 Cu. Ft.	2.68		
Proposed Sewer Rate per 100 Cu. Ft.	2.74	2%	1.02
Water Meter Size	5/8"-3/4"		
Monthly Electric Usage - KWH	750		
Current Rate per KWH	0.100		
Proposed Rate per KWH	0.100		

<u>City Customers</u>	Current	Proposed	Change	Percent Change
Water Usage	21.70	22.13	0.43	2.0%
Water Capital Replacement	1.92	1.96	0.04	2.0%
Water Ready-To-Serve	6.75	6.89	0.14	2.0%
Water Capital Improvement	4.04	4.12	0.08	2.0%
Water Plant Debt Service	19.07	19.45	0.38	2.0%
Sewer Usage	26.80	27.34	0.54	2.0%
Sewer Capital Replacement	2.02	2.06	0.04	2.0%
Sewer Ready-To-Serve	8.39	8.56	0.17	2.0%
Sewer Debt Service	5.73	5.84	0.11	2.0%
Sewer Capital Improvement	6.14	6.26	0.12	2.0%
Electric Usage	75.00	75.00	-	0.0%
Basic Electric Charge	5.50	5.50	-	0.0%
<b>Total Utility Bill</b>	<b>183.06</b>	<b>185.11</b>	<b>\$ 2.05</b>	<b>1.1%</b>
Total Water Bill	53.48	54.55	1.07	2.0%
Total Sewer Bill	49.08	50.06	0.98	2.0%
Total Electric Bill	80.50	80.50	-	0.0%



City of South Haven

BOARD AND COMMISSION APPLICATION

Name Letitia Wilkins Phone [Redacted]

Address [Redacted]  
Street City State Zip

E-Mail Address [Redacted]

Resident of City? (Circle One)  Yes  No If Yes, how long: 45 years

Board or Commission Applying for: Housing Commission

Qualifications: I have lived in this community for over 40 years. I am a 3rd generation in my family to reside in this community. I know many of residents and understand the concerns and needs in our community.

I believe I can benefit the City of South Haven by serving on a board and commission because:

I can benefit my community effectively and efficiently because I have a passion for serving my community.

Signature [Handwritten Signature]

Date 5/11/15

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

For Office Use Only:	
Appointed	_____
Term Expires	_____
Letter Mailed	_____



City of South Haven

RECEIVED MAY 28 2015

BOARD AND COMMISSION APPLICATION

Name Vikke Andersen

Phone [Redacted]

Address [Redacted]  
Street City State Zip

E-Mail Address \_\_\_\_\_

Resident of City? (Circle One)  Yes  No If Yes, how long: 25 years

Board or Commission Applying for: Library Board

Qualifications: I work and volunteer in the community: <sup>past</sup> president of mobile mends; editor and board member of SH Center for the Art news letter; worked on Hamane Society committee for current building; member of City Council for 4 years; council representative, Liberty Hyde Bailey museum; avid reader of all sorts of material - fiction & fact. Believe in the importance of libraries in a free society and the necessity.

I believe I can benefit the City of South Haven by serving on a board and commission because: \_\_\_\_\_

I can think critically; am responsible, do my best to follow through with important tasks, and attempt to stick to the point in a discussion

Signature Vikke M Andersen

Date May 27, 2015

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

For Office Use Only:	
Appointed _____	
Term Expires _____	
Letter Mailed _____	



# City of South Haven

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## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

**To:** Brian Dissette, City Manager

**From:** Michelle Coffey, Special Events Coordinator

**Date:** June 9, 2015

**RE:** Special Event 2015-20 – Rotary Pancake Breakfast

### Background Information

The Rotary Club of South Haven will be using the Huron Street pavilion to host a pancake breakfast on July 5, 2015 from 6:30 am to 12:30 pm. Rotary is requesting permission to reserve 12 parking spaces under the pavilion immediately following the close of the Farmer's Market on Saturday, July 4, 2015. These parking spaces would be available for public use following the pancake breakfast.

### Attachments

Special Event 2015-20 Special Event Application

Special Event # \_\_\_\_\_

Date Received \_\_\_\_\_

# CITY OF SOUTH HAVEN

## Special Events & Festivals Application

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

DH  
Initial

6.9.2015  
Date

### CONTACT INFORMATION

Event Title: Rotary Pancake Breakfast

Sponsoring Organization: Rotary Club of South Haven

Applicants Name: Don Hodgman

Telephone #: 269-637-6416 Phone # During Event: 269-214-0883

E-mail Address: cdhodgman@yahoo.com

### Other contacts for/during event

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

### EVENT SPECIFIC INFORMATION

Event Location: South Haven Pavilion in Huron Street parking lot

Date(s) Requested: July 5, 2015 Alternative Date(s): \_\_\_\_\_

Start Time: 6:30 am End Time: 12:30 am

**Any event that exceeds 10:00 P.M. has to be approved by City Council**

Number of people expected to attend: 600-700

### EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

The Rotary Club requests use of the pavilion in the Huron St parking lot to hold their annual pancake breakfast. Specifically, Rotary requests permission to reserve 12 parking spaces under the pavilion immediately following the close of the Farmers Market on Saturday, July 4th. (see map) The parking spaces would be open to the public once again immediately following the close of the pancake breakfast.

**MAPS/LOCATION – mark event items on map(s)**

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S). Maps can be found on the city's website.** Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

**City property or city park use. Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

**Barricade Request:** Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

**Cone Request:** Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure \_\_\_\_\_

- Entertainment, dance, tent or stage. Mark locations on maps.
- Event Command Post. Mark location on maps.
- Dumpsters and/or trash containers. The Mark location on maps.
- Portable toilet facilities. Mark locations on maps. How many? \_\_\_\_\_  
The City requires the use of portable facilities for events expecting over 500 attendants.
- Parade. Mark beginning area, the route\* (with arrows) and finish area on maps  
\*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.
- Participants. Mark parking areas, bus locations, and special passengers on maps.
- Relay event. Indicate "hand-off" points and areas of participant equipment impact.
- Aircraft landing / hot air balloons. Mark location on maps.
- Fireworks/pyrotechnics site. Mark location on maps.
- Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

**Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

- First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Live animal sites. Mark location on maps and describe: \_\_\_\_\_

Any other item(s) that should be included on maps. Explain: \_\_\_\_\_

**ADDITIONAL EVENT INFORMATION**

Liquor License

The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved Downtown South Haven Special Event Area. Guidelines for such special event liquor licensing are available in the Special Event & Festivals Alcohol Policy. These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.

City of South Haven Liquor License Application  
Michigan Liquor Control Commission Website

**Liquor license application must be submitted before the city will process this special event application.**

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.

Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

**CITY SERVICES**

Are you requesting any utility services to be provided:  Yes  No

If yes, explain: \_\_\_\_\_

If electric utilities requested, name of festival person or electrician who will be responsible:

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Will vendors be using electric utilities:  Yes  No

If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services:  Yes  No

If yes, explain: \_\_\_\_\_

Will you require additional fire/ambulance services:  Yes  No

If yes, explain: \_\_\_\_\_

Additional fire information: Mark all that apply

- Tents                       Concessions                       Exits                       Compressed Gases  
 Extinguishers                       Electrical                       Exposed Flames  
 Other: \_\_\_\_\_

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

**The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.**

**INSURANCE**

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application?     Yes     No

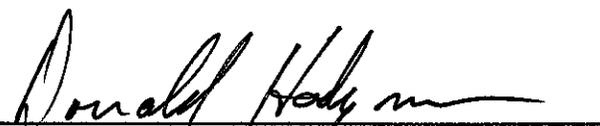
**REMINDERS**

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)  
 Proof of Insurance Certification  
 Cones and Barricade Request Form (if applicable)  
 Submitted liquor license application (if applicable)

**INDEMNIFICATION AGREEMENT**

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property

  
\_\_\_\_\_  
Applicants Signature

*June 9th, 2015*  
\_\_\_\_\_  
Date

**Please return to:**  
**Parks and Recreation Supervisor**  
**Department of Public Works**  
**City of South Haven**  
**1199 8<sup>th</sup> Ave**  
**South Haven, MI 49010**  
**Phone: 269-637-0772 / Fax: 269-637-4778**  
**Hours: Monday-Friday 7:00a.m. – 3:30p.m.**

**Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.**



**Department of Public Works**  
 DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
 Telephone (269) 637-0737 • Fax (269) 637-4778

## Cones and Barricades Request Form

**Requester's Name** Don Hodgman

**Date Requested** \_\_\_\_\_

**Organization/Committee** Rotary Club of South Haven

**Mailing Address** P.O. Box 24  
South Haven, MI 49090

**Office/Main Phone** \_\_\_\_\_

**Cell Phone** 269-214-0883

**DATE of**  
**EVENT:** July 5, 2015

**EVENT:** Rotary Pancake Breakfast

CONES	Quantity	Who will pick up cones (Please Print Legibly)	Cell Phone	Pick Up Date/Time	Return Date/Time
	30	drop off cones in the fenced area behind the ice rink office			AM PM

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

BARRICADES	Quantity	Drop Off Location (Please Print Legibly)	Contact Person	Drop Off Date/Time	Pick Up Date/Time
			Cell Phone		
				AM PM	AM PM

Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's Signature: 

Authorized by: \_\_\_\_\_

## **SPECIAL EVENTS & FESTIVALS INFORMATION PAMPHLET**

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For use of city parks, beaches, streets, parking lots or other public facilities for events or festivals a City of South Haven Special Events & Festivals Application must be completed and sent to the Parks and Recreation Supervisor, City of South Haven, 1199 8<sup>th</sup> Ave, South Haven, Michigan, 49090. This form is available at the City Hall and Department of Public Works Customer Service Desks and on the city's website; [www.south-haven.com](http://www.south-haven.com). It is important that the organization complete the form with as much detail as possible regarding specific requests and the event. This pamphlet provides you with information regarding City services, requirements, regulations and policies. A complete copy of city ordinances can also be found on the City's website. Prior to submitting your request, please read this pamphlet thoroughly. This pamphlet was developed to help you organize a successful event in South Haven.

### **SPECIAL EVENTS & FESTIVALS APPROVAL PROCEDURE**

When you submit the Special Events & Festivals Application to the Parks and Recreation Supervisor to sponsor a special event, the form is distributed to the appropriate City departments for their initial review, recommendations and approval. If your event or festival is expecting less than 500 participants, does not require a variance to the Municipal Code, and does not exceed 10:00 P.M. the requests will be submitted to the City Manager for approval. If your event or festival is expected to have 500 or more in attendance, a request has been made for a variance of the Municipal Code, or the event exceeds 10:00 P.M. then the requests will be submitted to the City Council. You will receive a notice from the Parks and Recreation Supervisor notifying you of the approved/denied request.

**Completed applications must be turned into the Parks and Recreation Supervisor's office at least 21 business days prior to the start of the event.** It is recommended that requests be made at least 90 days in advance (for larger events and festivals that attract over 500 people, it is recommended to submit your requests at least 120 days in advance) to assure proper approval. Any changes or additions to the special event/festival after being approved must be submitted in writing.

### **CITY OF SOUTH HAVEN POLICIES & REGULATIONS REGARDING SPECIAL EVENTS**

The City of South Haven recognizes the importance of special events within the community. These special events are acknowledged as providing additional economic impact to the area's businesses and helping to develop community pride, commitment, and involvement. The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven, has the right to cancel or postpone any special event, this includes the City Manager, Police Chief or his designee and Fire Chief or his designee. While the City of South Haven is supportive of these special events, certain guidelines must be enforced to insure that the festival or special event runs as smooth as possible:

- The City may request that dates or times of special events be changed to facilitate coordination of City services. If changes are required, the sponsoring organization will be notified well in advance.
- Whenever possible, organizations will be encouraged to hold special events in City parks rather than on streets to minimize the need for additional Public Safety support to assist with traffic control. When the use of streets is required, every effort will be made to schedule events in such a manner so as to avoid the need for additional Public Safety support.
- Event organizers will be encouraged to use volunteers whenever possible to assist with logistics so as to reduce the need for additional City personnel.
- In some cases, where there are extraordinary costs incurred by the City, or the organization does not clean up the sites used or where severe damage to City property may incur, the organization may be required to reimburse the City for the additional costs that may incur as a result.

- **POLICE AND FIRE PROTECTION:** The Police and Fire Departments need to know specifically what you are planning for your special event. They will need to know the type of event and time the programs will be held, the anticipated number of people expected for the event, and any special requirements you may have. Any additional costs to the City will be the organizer's responsibility.
- **INSURANCE COVERAGE:** The city requires proof of insurance (\$1,000,000) naming the City as "additionally insured".
- **NOISE:** If your event will have amplified noise you will need to indicate the date and time this noise will be made on Special Events & Festivals Form. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151. Noise must end by Midnight.
- **SANITARY FACILITIES:** Restroom facilities may be required by the local health department. Should any additional facilities be required, City personnel will determine where those facilities will be placed. The organization holding the special event will be responsible for the additional facilities.
- **STREET CLOSINGS:** If you anticipate that your special event will necessitate the closing of public streets, merchants and other property owners in the area must be informed of your request prior to City Council approval. The closing of streets for festivals/special events can be costly and inconvenient for the surrounding merchants and property owners. If street closings are required, a request outlining specific streets and intersections with time of closings and reasons should be included in your initial request to the City. Maps are available at the City Hall Customer Service Desk and at the city's website; [www.south-haven.com](http://www.south-haven.com). The Sponsoring Organization is responsible for the closing and opening of the streets and monitoring of the barricades. Major streets may require Police or Street Department personnel to close and reopen the streets. If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit from MDOT for road closure. At least one month should be reserved for this application process.
- **ALCOHOLIC BEVERAGES:** Provisions must be made for any "beer tent" or other event at which alcoholic beverages are planned. Special liquor permits are required from the Michigan Liquor Control Commission to hold any special event that has liquor for sale or tasting located on both private and public property..

Consumption of alcoholic beverages within any public park, beach, or street is prohibited unless the appropriate licensing has been obtained. The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved Downtown South Haven Special Event Area. Guidelines for such special event liquor licensing are available in the Special Event & Festivals Alcohol Policy. These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.

[City of South Haven Liquor License Application](#)  
[Michigan Liquor Control Commission Website](#)

**Liquor license application must be submitted before the city will process this special event application.**

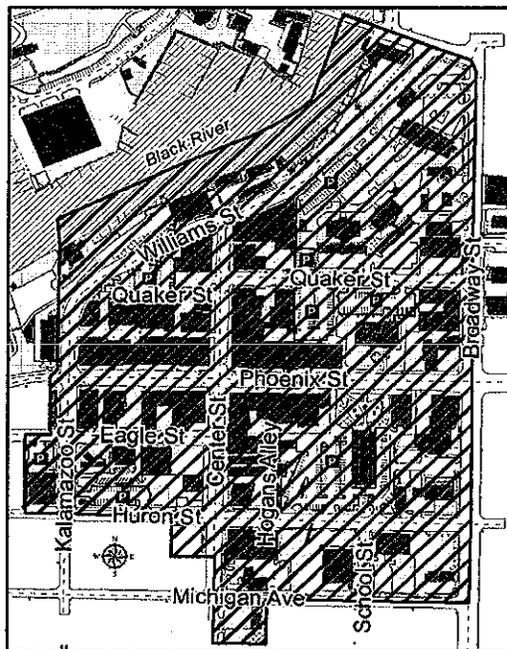
- **STREET MARKING:** Painting and marking on roads and sidewalks should be held to a minimum and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

- **SIGNAGE:** Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.
- **PARADE:** Candy or other items shall not be thrown from any moving object, vehicle or float.
- **VEHICLES IN THE PARKS:** Vehicles are allowed only on public access roads within City parks.
- **FLOWERBEDS:** When planning the locations of concessions, booths, and eating areas, every effort must be made to avoid placement near flowerbeds.
- **VENDORS/CONCESSIONS:** Any concession stand must meet the State and County Health Department requirements.

*Festival Vendor.* Operator of a removable stand or mobile vending cart licensed for a limited, specific period in association with a festival blanket vendor license. The removable stand or mobile vending cart may be left on the site for the duration of the license, and may be located on private property. The festival vendor shall be licensed by the festival organization which has been approved by the City Council to organize a special event with a blanket vendor license.

*Festival/Event Blanket Vendor License Location:* Vendor sites in an area approved under a Festival Blanket Vendor License for a specified period of time. The area in which may Vendors may operate is designated in a festival special event application. The City Council shall approve the special event and festival blanket vendor license by resolution. The festival organization approves vendors based upon their own criteria.

**Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). The crossed out area on the following map gives the approximate area of the CBD.**



- **CLEAN-UP AND TRASH RECEPTACLES:** All special events organizers are responsible for the removal of trash and debris caused by or related to the special event. Clean-up requirements could include the replacement of all trash receptacle liners and the removal of all debris and trash from the premises. For events attracting a large number of people, it is recommended that trash removal services be contracted with a private vendor.
- **ELECTRICAL/WATER SYSTEMS:** If you anticipate needing electric or water services for your event, you must contact the Public Works Director concerning your needs well in advance of your special event. The Public Works Director needs this information in order to insure proper utility extensions are made, if necessary. Four (4) month's advance notice is recommended for all events. The City's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the Sponsoring Organization following the event. A manual of what the Electric Inspector will be looking for is available to you. Staff Recommends distributing the manual to vendors participating in your event.
- **TENTS AND STRUCTURES:** Be sure to specify any tents or structures that will be used for the special event. No stakes can be placed in the ground without the specific approval of the City to avoid damaging underground utilities, road and parking lot surfaces, or other infrastructure. Most damage done to the parks or roads during special events is due to staking of tents, etc. Your organization will be responsible for any damage done to the parks or streets during your special event. It's important that the special event organization has volunteers who monitor the event to insure that damage is kept at a minimum.
- **LIGHTING:** Any additional lighting for an event must be approved by City Council. If approved the event holder must ensure that the lighting will not shine on neighboring areas.
- **EVENT CANCELLATION:** The City reserves the right to cancel any event, when deemed necessary, due to security, safety, or weather-related hazards, or in the case of noncompliance with City requirements.

#### **CITY OF SOUTH HAVEN PARK RULES**

The following rules are adopted pursuant to the South Haven Municipal Code and the violation of these rules is a misdemeanor punishable by a fine of not more than \$500.00, or ninety (90) days in jail, or both.

1. No open intoxicants allowed except within an approved and licensed area.
2. Motor vehicles permitted on paved roads, or designated areas only.
3. Sound producing equipment including, but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the city.
4. No person shall break, cut, mutilate, overturn, injure, remove or carry away any tree, shrub, flower, plant, stone, stonework, bench, chair, seat, bower, playground equipment, structure, or anything whatever in or from any park or street or avenue adjacent thereto.
5. No person shall permit any animal to run at large within the public parks, nor allow any dog therein except when led by a leash.
6. Acts causing a breach of peace are prohibited. You are subject to criminal prosecution and removal from the park for up to six months.

- Legend**
- Lamp Post
  - ▭ Structure
  - ▨ Grass
  - ▩ Landscaped
  - ▧ Pvt Parking

Place symbols on map where needed and write quantity needed on lines.

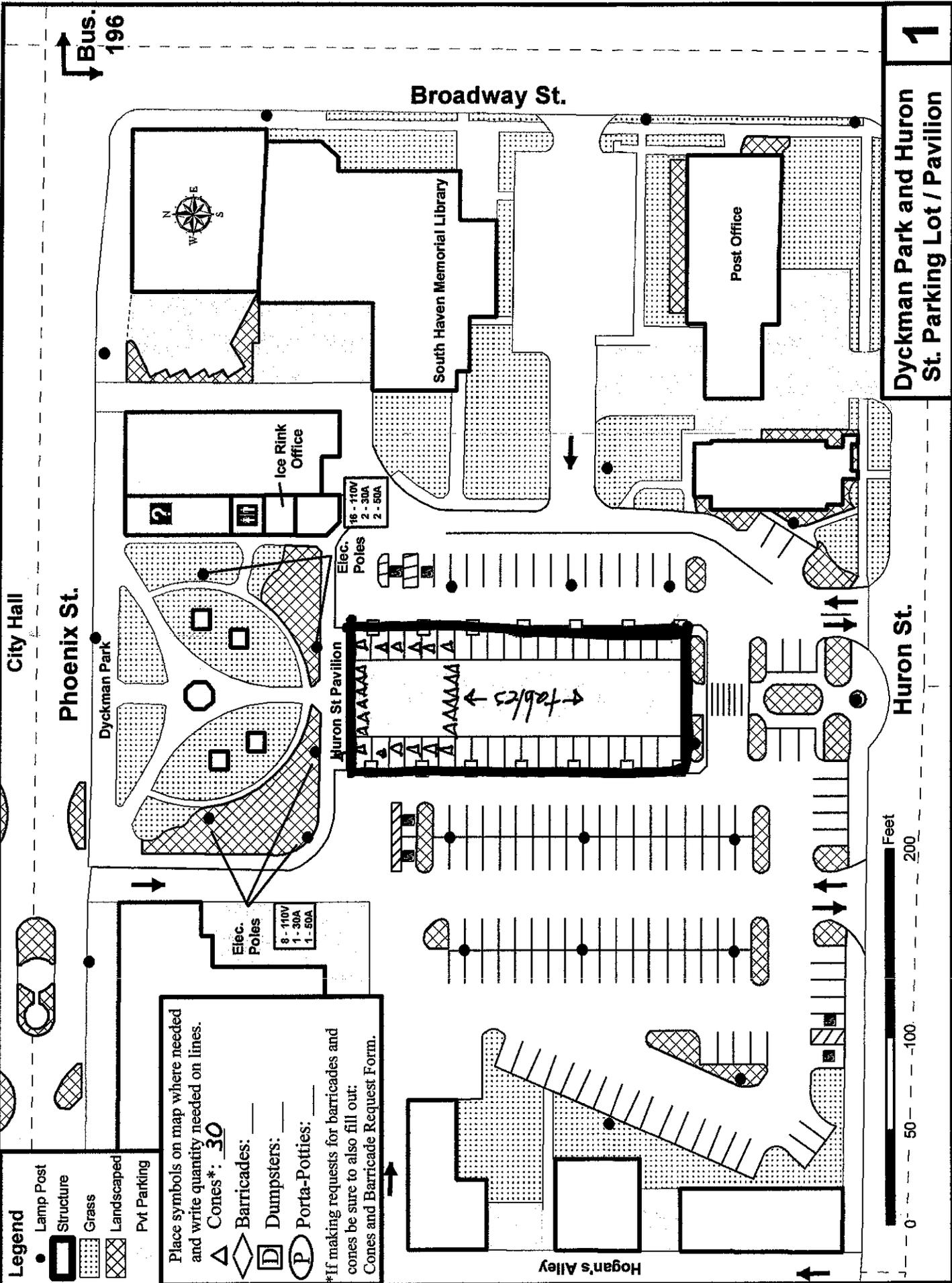
Cones\*: 30

Barricades: \_\_\_\_\_

Dumpsters: \_\_\_\_\_

Porta-Potties: \_\_\_\_\_

\*If making requests for barricades and cones be sure to also fill out: Cones and Barricade Request Form.



**1**  
Dyckman Park and Huron St. Parking Lot / Pavilion



## Agenda Item # 10A

### Michigan Maritime Museum Agreement

#### Background Information:

The City Council will be asked to consider the approval of Resolution 2015-28, a resolution approving an agreement with the Michigan Maritime Museum, for use at the 260 Dyckman Avenue location. The agreement, if approved by the Council, will formally acknowledge and allow the Maritime Museum, a local nonprofit organization, to host events which include alcohol service.

The Maritime Museum operates via a long-term lease agreement at the city's 260 Dyckman Avenue property. The Maritime Museum routinely hosts events at their campus which are intended to feature museum exhibits and align with the facility's mission. Occasionally the events are used to raise funds for the Maritime Museum.

The purpose of the agreement is to ensure the city and Maritime Museum comply with the city's Code of Ordinances, section 54-105(a), which provides that no person shall consume or possess alcoholic beverages in a public place within the city, unless specifically permitted by resolution of the City Council. The adoption of Resolution 2015-28, and the approval of the proposed agreement, will bring the city and Maritime Museum into formal compliance. The agreement is intended to provide annual approval of events at the Maritime Museum. The Maritime Museum will need to provide an annual listing of planned events which include alcohol service. The City Council will need to adopt an updated agreement annually, with the next agreement to be presented as part of the 2016 calendar year.

Staff recommends the City Council consider approval of the resolution and agreement as presented.

#### Recommendation:

The City Council will be asked to consider the approval of Resolution 2015-28, a resolution approving an agreement with the Michigan Maritime Museum, for use at the 260 Dyckman Avenue location. The agreement, if approved by the Council, will formally acknowledge and allow the Maritime Museum, a local nonprofit organization, to host events which include alcohol service.

#### Support Material:

Resolution 2015-28  
DRAFT Maritime Museum Agreement

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-28

A RESOLUTION TO PERMIT SERVICE, CONSUMPTION, AND POSSESSION OF ALCOHOL  
AT THE MICHIGAN MARITIME MUSEUM DURING MUSEUM EVENTS

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on June 15, 2015 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, Section 54-105(a) of the South Haven Code of Ordinances provides that no person shall consume or possess alcoholic beverages in a public place within the City unless permitted by resolution of the City Council; and

WHEREAS, the Michigan Maritime Museum (the "Museum") is a Michigan non-profit corporation located on City-owned property, occupied by the Museum for the operation of a public museum pursuant to previous agreements between the City and the Museum; and

WHEREAS, the Museum has requested the City's permission to serve alcoholic drinks at the events described in the attached **Exhibit A** (the "Museum Events"); and

WHEREAS, the City desires to permit the service, consumption, and possession of alcoholic beverages at the Museum during these Museum Events.

NOW THEREFORE BE IT RESOLVED that:

1. Pursuant to Section 54-105 of the South Haven Code of Ordinances, the City grants approval for the service, consumption, and possession of alcohol at the Museum Events described in the attached Exhibit A in accordance with the terms and conditions of the Agreement attached as **Exhibit B** (the "Agreement").

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on June 15, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

---

Amanda Morgan, City Clerk

**Exhibit A**  
**Museum Events**

**Exhibit B**  
**Agreement**

GRAPIDS 57671-1 366817v1

## AGREEMENT

This Agreement is made as of \_\_\_\_\_, 2015, between the City of South Haven, a Michigan municipal corporation, of 523 Phoenix Street, South Haven, MI 49090-1499 (the "City") and the Michigan Maritime Museum, a Michigan non-profit corporation, of 260 Dyckman Avenue, South Haven, MI 49090 (the "Museum").

### RECITALS

- A. The Museum is a Michigan non-profit corporation occupying property owned by the City pursuant to previous agreements between the parties (the "Museum Areas") and the Museum desires to serve alcoholic drinks on within the Museum Areas and its vessels, from time-to-time, at the events described in the attached Exhibit A (the "Museum Events").
- B. The City believes that Section 54-105(a) of the South Haven Code of Ordinances, which provides that no person shall consume or possess alcoholic beverages in a public place within the City unless specifically permitted by resolution of the City Council, applies to the Museum Areas and the Museum Events, requiring the City's written approval.
- C. The Museum believes that City Code provision is inapplicable to the Museum under the current agreements and, even if that Code provision is applicable, a written agreement is not necessary to comply with that provision.
- D. The parties have nevertheless agreed to the following terms and conditions to ensure compliance with all applicable laws, ordinances, and legal requirements, and to address certain other issues that can be related to the service of alcoholic drinks, while the parties cooperatively work to address this and other aspects of their longer term relationship during the remaining portion of the 2015 calendar year.

### TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree:

1. Consent. The City consents to the Museum's serving alcoholic drinks, and to consumption and possession of alcoholic drinks within the Museum Areas during at the Museum Events listed on the attached Exhibit A.

2. Term.

A. The term of this Agreement shall commence on the date it is fully signed and it will terminate at midnight on December 31, 2015, unless earlier terminated as provided below.

B. This Agreement is may be terminated by the City Council if it determines the Museum failed to comply with its terms. However, prior to considering such termination, the City shall first give the Museum written notice that it may consider such action and the date and time of the City Council meeting at which such action will initially be considered so that the Museum may address the City Council prior to any such consideration.

3. Use. The City consent provided in this Agreement is subject to the following conditions:

A. The Museum shall not sell or charge for alcoholic drinks at a Museum Event unless the Museum or a hired caterer obtains an appropriate state liquor license authorizing on-premises consumption during such event. The Museum shall comply with any state liquor laws, rules and regulations applicable to the charging of admission at events at which alcoholic drinks are served.

B. The Museum may notify the City Manager of modifications to the scheduled date or time of a Museum Event to ensure the City is reasonably aware of the activity. The City is especially concerned to avoid any misunderstandings when the Museum Events may be outside a building or vessel.

C. The service of alcoholic drinks at Museum Events shall be in compliance with all applicable laws and ordinances and with all rules and regulations promulgated by the Michigan Liquor Control Commission, including any prior Liquor Control Commission approval that may be required.

D. The service and consumption of alcoholic drinks at Museum Events shall be limited to individuals age 21 or older. The Museum shall ensure there are sufficient staff members or volunteers attending

Museum Events who are 21 years of age or older to check the identification of persons consuming alcohol. Those staff members or volunteers shall be appropriately trained to ensure compliance with state laws, rules and regulations limiting the service of alcoholic drinks to those who are at least 21 years old.

E. The consumption of alcoholic drinks shall be limited to the confines of the Museum Areas. The Museum shall not permit passage of alcoholic drinks to areas outside of the Museum Areas. The Museum shall take such action as is necessary to prevent attendees, volunteers and/or employees from leaving the Museum Areas while in possession of alcoholic drinks, including but not limited to the placement of appropriate barriers or appropriate physical space between the Museum Area and public rights-of-way or other public areas. The Museum shall take such action as is necessary to prevent attendees and/or employees of Museum Events from providing alcoholic drinks to any persons outside the Museum Area and who are not guests at the Museum Event.

F. The Museum shall not advertise for the service of an unlimited quantity of alcoholic drinks.

G. All other alcoholic drinks shall be served by professional bartenders or by Museum staff, board members, officers, or volunteers.

H. The Museum's alcohol service pursuant to this Agreement shall be permitted from 12:00 noon until 11:00 p.m. The Museum's service of alcohol shall be discontinued 30 minutes prior to the ending time of the event.

4. Outdoor Gatherings and Community Wide Special Events. If the Museum intends to sponsor or host an outdoor assembly (attended by more than 500 persons) or other community wide special event (that will be attended by more than 500 persons) at the Museum Areas at which alcoholic drinks will be served, the Museum comply with the City ordinance provisions applicable to such an assembly or event.

5. Third-Party Hosts and Additional Events. If a third-party desires to host an event at the Museum Areas involving alcohol service, the third-party or Museum shall obtain all necessary approvals and permits from the Michigan Liquor Control Commission and shall comply with all applicable requirements of state laws, rules and regulations, and local ordinances, in addition to the terms and conditions set forth in this Agreement.

6. No Assignment/Sublicensing. This consent provided in this Agreement applies only to the Museum. This Consent Agreement and the rights, duties and obligations under it may not be assigned or transferred in any manner to any other person or business entity, except with the written consent of both parties.

8. Indemnification. The Museum shall save and hold the City, its officers, employees, and agents harmless from, and defend and indemnify the City, its officers, employees, and agents against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceeding instituted against them directly or indirectly, arising from the service of alcohol at a Museum Event or by the Museum or its directors, officers or employees in the Museum Areas on any other occasion.

9. Insurance. The Museum shall obtain and maintain a general liability insurance policy covering the Museum Areas and the service of alcoholic drinks at the Museum Areas in minimal coverage amounts of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The policy shall name the City as an additional insured and certificate holder. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except after 30 days' prior written notice to the City, shall be provided to the City. Upon request, the Museum shall provide the City with copies of the policies of insurance and all endorsements.

10. Miscellaneous.

A. This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. This Agreement may not be modified or amended except in writing, signed by both parties. The captions of this Agreement are for convenience only and shall not considered as part of this License or in any way limiting or amplifying its terms and provisions. The recitals, however, are an integral part of this Agreement.

C. A party's failure to enforce any provisions of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each provision of this Agreement. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.

The parties have signed this Agreement as of the date first written above.

CITY OF SOUTH HAVEN

MICHIGAN MARITIME MUSEUM, INC.

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Gary Horton, President

By: \_\_\_\_\_  
Amanda Morgan, Clerk

By: \_\_\_\_\_  
Patti Montgomery, Executive Director

Date signed: \_\_\_\_\_, 2015

Date signed: \_\_\_\_\_, 2015

## **EXHIBIT A** **MUSEUM EVENTS**

A list of routine and customary operations that happen on the Museum Areas on an annual basis that could include the service of Alcoholic Drinks, most typically, beer & wine.

1. Reception Opening for new exhibits. Typically membership, along with personal invitations to City & State officials.
2. Open House Receptions. Typically done to target specific groups focused to showcase and promote specialty programs offered by the Museum. (Example, Educators Day. Teachers are brought together in a social environment as they learn about opportunities and programs offered by the Museum.)
3. Blessing of the Fleet. An annual event offered to members to celebrate & kick off the beginning of a season.
4. Queens Cup. The Museum Campus hosts the Queens Cup Committee from South Shore Yacht Club for a social evening on Campus. Dinner is catered by a local catering business. The Committee brings alcoholic beverages that are served by the catering staff. No purchase of alcohol.
5. Several Weddings & Social Boat Charters/and or dockside food & drink. Customers are allowed to bring boat friendly food & drink aboard & occasional on site if after open hours or Campus has been secured and closed for a private function. No glass is allowed and beer & wine only.
6. Membership & Volunteer Appreciation Potlucks. Monthly get together sharing food & drink as well as time on the Campus. Members are allowed to bring beer or wine of their choice.
7. Keel Club Social Events.
8. Donor Appreciation Events. Occurring several times during the year.
9. Sponsored in-kind-donors or donor appreciation parties. (E.g., the Fish Tug Party sponsored by Cottage Home, the largest in-kind donor of CZM project as a "thank you" for thousands of dollars' worth of in-kind donations.)
10. Business Membership Use. In promoting Business membership, our members use an area of the Campus for private functions. (Example, Edward Jones hosts a reception for clients twice a year. Clients are invited for food & drink paid for by Edward Jones and consumed on the Museum Campus. The Campus is showcased and membership growth has increased as more people are exposed to the Campus. The Museum also benefits as a donation is made from the Business member.)
11. Membership Use. A member will occasionally bring a picnic and beverage to enjoy privately on the scenic campus, or enjoy a beer after a work session. The Captain and of age crew may do the same after closing the last evening sail of the day. (Typically on the deck of the Keepers House.)
12. The Museum has hosted numerous events on Campus as local organizations desire to be on the water and appreciate the nautical atmosphere. On occasions that alcoholic beverages are served and the customer is charged for the beverage, the organization has been required to get the legal permit in order to do so.
13. On the occasion that the Museum hosts an Event targeted for fundraising and open to the public, the Museum has applied for, and acquired a legal permit to sell alcoholic beverages per legal allowances. Typically this occurs no more than once or twice annually.



## **Agenda Item # 10B**

### Center for the Arts License Agreement

#### Background Information:

The City Council will be asked to consider the approval of Resolution 2015-29, a resolution approving a license agreement with the South Haven Center for the Arts, for use at the 523 Phoenix Street location. The license agreement, if approved by the Council, will formally acknowledge and allow the Center for the Arts, a local nonprofit organization, to host events which include alcohol service.

The Center for the Arts operates via a long-term lease agreement at the city's Carnegie building at 523 Phoenix Street. The Center for the Arts routinely hosts events at the building which are intended to feature art exhibits and align with the center's mission. Occasionally the events are used to raise funds for the Center for the Arts.

The purpose of the license agreement is to ensure the city and Center for the Arts complies with the city's Code of Ordinances, section 54-105(a), which provides that no person shall consume or possess alcoholic beverages in a public place within the city, unless specifically permitted by resolution of the City Council. The adoption of Resolution 2015-29, and the approval of the proposed license agreement, will bring the city and Center for the Arts into formal compliance. The license agreement is intended to provide annual approval of events at the Center for the Arts. The Center for the Arts will need to provide an annual listing of planned events which include alcohol service. The City Council will need to adopt an updated license agreement annually, with the next agreement to be presented as part of the 2016 calendar year.

Staff recommends the City Council consider approval of the resolution and license agreement as presented.

#### Recommendation:

The City Council will be asked to consider the approval of Resolution 2015-29, a resolution approving a license agreement with the South Haven Center for the Arts, for use at the 523 Phoenix Street location. The license agreement, if approved by the Council, will formally acknowledge and allow the Center for the Arts, a local nonprofit organization, to host events which include alcohol service.

#### Support Material:

Resolution 2015-29  
DRAFT Center for the Arts License Agreement

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-29

A RESOLUTION TO PERMIT SERVICE, CONSUMPTION, AND POSSESSION OF ALCOHOL  
AT THE SOUTH HAVEN CENTER FOR THE ARTS DURING CENTER EVENTS

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on June 15, 2015 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, Section 54-105(a) of the South Haven Code of Ordinances provides that no person shall consume or possess alcoholic beverages in a public place within the City unless permitted by resolution of the City Council; and

WHEREAS, the South Haven Art Association, d/b/a South Haven Center for the Arts, (the "Center") is a Michigan non-profit corporation located on City-owned property, occupied by the Center for the operation of a public arts center pursuant to previous agreements between the City and the Center; and

WHEREAS, the Center has requested the City's permission to serve alcoholic drinks at the events described in the attached **Exhibit A** (the "Center Events"); and

WHEREAS, the City desires to permit the service, consumption, and possession of alcoholic drinks at the Center during these Center Events.

NOW THEREFORE BE IT RESOLVED that:

1. Pursuant to Section 54-105 of the South Haven Code of Ordinances, the City grants approval for the service, consumption, and possession of alcohol at the Center Events described in the attached Exhibit A in accordance with the terms and conditions of the License Agreement attached as **Exhibit B** (the "License Agreement").
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on June 15, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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Amanda Morgan, City Clerk

**Exhibit A**  
**Center Events**

**Exhibit B**  
**License Agreement**

GRAPIDS 57671-1 366926v1

### LICENSE AGREEMENT

This License Agreement is made as of \_\_\_\_\_, 2015, between the City of South Haven, a Michigan municipal corporation, of 523 Phoenix Street, South Haven, MI 49090-1499 (the "City") and the South Haven Art Association, d/b/a South Haven Center for the Arts, a Michigan non-profit corporation, of 600 Phoenix Street, South Haven, MI 49090 (the "Center").

### RECITALS

- A. The Center is a Michigan non-profit corporation located on City-owned property occupied by the Center pursuant to previous agreements between the parties (the "Center Area").
- B. Section 54-105(a) of the South Haven Code of Ordinances provides that no person shall consume or possess alcoholic beverages in a public place within the City unless specifically permitted by resolution of the City Council.
- C. The Center desires to serve alcoholic drinks at the events described in the attached **Exhibit A** (the "Center Events").

### TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree:

1. License. The City grants the Center permission to serve alcoholic drinks, and to allow consumption and possession of such alcoholic drinks, at the Center Events listed on the attached Exhibit A.
2. Term.
  - A. The term of this License shall commence on the date of signature and will terminate at midnight on December 31, 2015, unless earlier terminated or revoked as provided below.
  - B. This License is terminable at the will of the City Council. However, prior to terminating the license, the City shall first give the Center written notice that it is considering such action and the date and time of the City Council meeting at which such action will initially be considered so that the Center may address the City Council.
  - C. The City may suspend this license immediately, if, in the opinion of the City Manager, the Center fails to meet, observe or fulfill any obligation, general restrictions, standards, condition, or requirement of this Agreement. The City Manager shall give the Center written notice of such suspension and the date and time of the City Council meeting at which termination of the License shall be considered so that the Center may address the City Council. The City Council shall, in its sole discretion, either terminate or reinstate the License.
3. Use. The License is subject to the following restrictions:
  - A. The Center shall not charge for alcoholic drinks or charge for admission to a Center Event unless the Center or a hired caterer obtains an appropriate state liquor license authorizing on-premises consumption during such event.
  - B. The Center may request permission from the City Manager to modify the scheduled date or time of a Center Event, and the City Manager is authorized to grant such requests if doing so is consistent with the intent of the City ordinances and actions of the City Council.
  - C. The service of alcoholic drinks at Center Events shall be in compliance with all applicable laws and ordinances and with all rules and regulations promulgated by the Michigan Liquor Control Commission, including any prior Liquor Control Commission approval that may be required.
  - D. The service and consumption of alcoholic drinks at Center Events shall be limited to individuals age 21 or older. The Center shall staff Center Events with individuals over the age of 21 to check the identification of persons consuming alcohol. Staff members shall be appropriately trained in examining identification cards and identifying counterfeits.

E. The consumption of alcoholic drinks shall be limited to the confines of the Center Area. The Center shall not permit passage of alcoholic drinks to areas outside of the Center Area. The Center shall take such action as is necessary to prevent attendees and/or employees from leaving the Center Area while in possession of alcoholic drinks, including but not limited to the placement of appropriate barriers or appropriate physical space between the Center Area and other public rights-of-way. The Center shall take such action as is necessary to prevent attendees and/or employees of Center Events from providing alcoholic drinks to any persons outside the Center Area and who are not guests at the Center Event.

F. The Center shall not advertise for the service of an unlimited quantity of alcoholic drinks.

G. All alcoholic drinks shall be served by professional bartenders, trained volunteers, or Center staff only. Self-serve alcoholic drinks are prohibited.

H. The Center's alcohol service pursuant to this Agreement shall be permitted from 12:00 noon until 11:00 p.m. The Center's service of alcohol shall be discontinued 30 minutes prior to the ending time of the event.

4. Outdoor Gatherings and Community Wide Special Events. If the Center intends to sponsor or host an outdoor assembly or other community wide special event at the Center Area involving alcohol service, the Center shall apply in writing to the City for permission to conduct such alcohol service. The outdoor gathering or community wide special event shall not be held at the Center Area unless and until the City Council adopts a resolution approving alcohol service for the event. Moreover, the Center shall obtain all necessary approvals and permits from the Michigan Liquor Control Commission and shall comply with all applicable requirements and provisions set forth in Chapter 42, Article II, of the South Haven Code of Ordinances in addition to the terms and conditions set forth in this Agreement.

5. Third-Party Hosts and Additional Events. If a third-party desires to host an event at the Center Area involving alcohol service, or if the Center desires to host an event involving alcohol service not listed on Exhibit A, the third-party or Center shall apply in writing to the City for permission to conduct such alcohol service, at least 30 days in advance of the event. Such third-party event or additional Center event shall not be held at the Center Area unless and until the City Council adopts a resolution approving alcohol service for the event. Upon receipt of a timely application by the third-party or Center, the City shall present the application to the City Council for consideration at the next regular session of the City Council for which agenda packets have not already been completed. Moreover, the applicant shall obtain all necessary approvals and permits from the Michigan Liquor Control Commission and shall comply with all applicable requirements and provisions set forth in Chapter 42, Article II, of the South Haven Code of Ordinances in addition to the terms and conditions set forth in this Agreement.

6. No Assignment/Sublicensing. This License is personal with the Center and does not run with the land. This License shall not be assigned or transferred in any manner by the Center to any other person or business entity, except with the written permission of the City. The Center represents that the Center Events described on Exhibit A are events either hosted or co-hosted by the Center.

7. License Fee. The Center shall pay the City a License Fee of One and no/100 Dollars (\$1.00).

8. Indemnification. The Center agrees to save and hold the City, its officers, employees, and agents harmless from, and defend and indemnify the City, its officers, employees, and agents against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceeding instituted against them directly or indirectly, arising from the service of alcohol at a Center Event.

9. Insurance. The Center shall obtain and maintain a general liability insurance policy covering the Center Area and the service of alcoholic drinks at the Center Area in minimal coverage amounts of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The policy shall name the City as an additional insured and certificate holder. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except

after 30 days' prior written notice to the City, shall be provided to the City. Upon request, the Center shall provide the City with copies of the policies of insurance and all endorsements.

10. Miscellaneous.

A. Any notices, reports or statements required to be served hereunder shall be sufficiently given if mailed by first class mail addressed to the City and the Center at their respective addresses stated above. Notice shall be deemed to have been given upon the date of mailing.

B. This Agreement is written pursuant to the laws of the State of Michigan and was made in Van Buren County, Michigan. This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. This Agreement may not be modified or amended except in writing, signed by the parties.

C. The failure of either party to enforce any covenant or condition of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each and every covenant and condition of this License. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.

D. The captions of this Agreement are for convenience only and shall not be considered as part of this License or in any way limiting or amplifying its terms and provisions. The recitals, however, are an integral part of this Agreement.

The parties have caused this Agreement to be executed as of the date first written above.

CITY OF SOUTH HAVEN

SOUTH HAVEN ART ASSOCIATION, d/b/a  
SOUTH HAVEN CENTER FOR THE ARTS

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Sally Hamlin, President

By: \_\_\_\_\_  
Amanda Morgan, Clerk

By: \_\_\_\_\_  
Thea Grigsby, Executive Director

Date signed: \_\_\_\_\_, 2015

Date signed: \_\_\_\_\_, 2015

**EXHIBIT A**  
**CENTER EVENTS**

**Remainder of 2015 - SHCA Liquor Events**

Chagall Events

Saturday, July 11 – lecture and or concert

Saturday July 25 and/or Sunday July 26 – closing party

Fresh Great Lakes Exhibition

Friday, August 7 - opening

Friday, September 4 - closing

Wedding Exhibition

Friday September 11 - opening

Saturday, October 24 - closing

Friday, October 30 – possible Halloween Party

Friday, November 13 – Mistletoe Opening

Thursday, December 3 – Holiday Party

Tuesday, December 15 – Annual Meeting

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Thea Grigsby  
Executive Director  
South Haven Center for the Arts

GRAPIDS 57671-1 366932v2



## Agenda Item # 11

### Overton Building Property Purchase

#### Background Information:

The City Council will be asked to consider approval of Resolution 2015-30, a resolution authorizing the City of South Haven to acquire the property at 229 Elkenburg Street, commonly known as the Overton Building, through tax foreclosure from Van Buren County, and to convey the property to the city's Local Development Finance Authority (LDFA).

Due to the nonpayment of property taxes, the 5.7 acre property at 229 Elkenburg Street, commonly known as the Overton property, has been foreclosed upon by the Van Buren County Treasurer.

The County Treasurer first offers any tax foreclosed properties to the local unit of government before sending the parcels to tax sale auction. To acquire the property, the city must pay the minimum bid plus administrative costs of \$15. The cost of acquisition is \$98,265. The County Treasurer has indicated a willingness to waive \$10,000 in interest and penalty charges, should the city pursue the property purchase.

At the June 8<sup>th</sup> regular meeting of the LDFA, the board approved a resolution to purchase the Overton property from the City Council for the cost of acquisition. The LDFA is requesting that the city purchase the property and transfer it to the LDFA. The LDFA is not eligible to directly purchase the tax sale parcel from the County Treasurer.

The proposed resolution would authorize the purchase of the Overton parcel through the tax foreclosure land sale, and the sale of the parcel to the LDFA. Both transactions would be at the cost to acquire the property.

#### Recommendation:

The City Council should consider a motion to approve Resolution 2015-30, a resolution authorizing the City of South Haven to acquire the property at 229 Elkenburg Street, commonly known as the Overton Building, through tax foreclosure from Van Buren County, and to convey the property to the city's Local Development Finance Authority (LDFA).

#### Support Material:

Resolution 2015-30  
Van Buren County Treasurer Correspondence  
LDFA Overton Purchase Resolution  
LDFA Meeting Minutes Excerpt  
229 Elkenburg Property Survey

229 Elkenburg Property Map & Aerial Map  
229 Elkenburg Property Zoning Map

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-30

A RESOLUTION TO ACQUIRE TAX FORECLOSURE PROPERTY FROM VAN BUREN  
COUNTY AND TO CONVEY PROPERTY TO THE LOCAL DEVELOPMENT FINANCING  
AUTHORITY

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on June 15, 2015 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, Section 78m of the General Property Tax Act of 1893, as amended, MCL 211.78m, allows a city to purchase tax foreclosed property within the city for a public purpose; and

WHEREAS, Van Buren County has tax foreclosed property located at 229 Elkenburg Street, South Haven, Michigan 49090, Parcel No. 80-53-260-006-00 (the "Overton Property"); and

WHEREAS, the City of South Haven (the "City") wishes to acquire the Overton Property and convey it to the Local Development Finance Authority of the City ("LDFA"), a public body corporate established by the City pursuant to the Local Development Financing Act of 1986, as amended, MCL 125.2151 *et seq.*, to ensure demolition of the dangerous building on it and its subsequent redevelopment; and

WHEREAS, the acquisition costs for the Overton Property are estimated to be \$\_\_\_\_\_.

NOW THEREFORE BE IT RESOLVED that:

1. The acquisition of the Overton Property from the Van Buren County Treasurer for an amount not to exceed \$\_\_\_\_\_ and subsequent conveyance to the LDFA for an amount not less than that acquisition cost is approved, subject to such terms and conditions as may be agreed upon by the Mayor and City Attorneys.
2. The Mayor, the City Clerk, and other City officials are authorized to execute the documents and take other actions reasonably necessary or appropriate to consummate these transactions.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on June 15, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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Amanda Morgan, City Clerk

GRAPIDS 57671-1 365627v1



# Office of the County Treasurer

Karen Makay, Treasurer  
Tania Sheeley-Myers, Chief Deputy

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219 E. Paw Paw St. Suite 101, Paw Paw, Michigan 49079-1499  
(269) 657-8228 FAX (269) 657-8227  
[makayk@vbco.org](mailto:makayk@vbco.org)

To: Local Units with Tax Reverted Property within their borders  
From: Karen Makay  
Date: May 15, 2015  
Subject: Local Purchase

Attached is the listing of properties that the County has acquired via the tax reversion process. Your purchase price will be the Minimum Bid plus \$15 for recording your deed. I have also enclosed an application to obtain real estate that must be returned to my office if you have interest in purchasing any of the enclosed properties.

I have sent this list to the State of Michigan, and they have until June 1 to notify us if they intend to purchase any of the parcels. If you are interested in any of these parcels, please let me know as soon as possible and I will let you know if the parcel is still available after I hear from the State.

**I must have a written response (either yes or no) to this letter no later than June 30, 2015** as the Title Companies are looking for "proof" that the properties were offered and refused. Please respond as quickly as possible. All sales to local units must be completed during July. The Auction will be held September 9th at the Performing Arts Center of Paw Paw High School.

Once again, if any local unit purchases the property it must be for a **Public Purpose**. There will be a restriction on the deed that if this property is sold for any amount over the minimum bid plus the cost of improvements, demolitions etc., the excess amounts shall be returned to the County.

**PLEASE REMEMBER THAT YOU CAN NOT ADD ANY SPECIAL ASSESSMENTS TO THESE PROPERTIES EITHER ON THE SUMMER OR WINTER BILLS FOR DELINQUENT UTILITIES OR DEMOLITIONS OR MOWING OR OTHER SIMILAR ISSUES THAT OCCUR PRIOR TO THE SALE AT AUCTION.** All liens that were on the property as of March 31<sup>st</sup> have been cancelled by the Circuit Court. If there is an amount owing that you want me to add to the minimum bid, please let me know in writing. If the minimum bid is received for the property you will be reimbursed. If the minimum bid is not received, but the entire auction receives enough to pay all the minimum bids, then you will be reimbursed. If the sale does not make enough to pay the minimum bids, then all special assessments will be removed and charged back.

**Please be advised that this list is NOT for public distribution at this point.** (This is not “secret” just don’t make copies and give out. If anyone wants to see the list it is fine.) The minimum bid amounts are still subject to change after the first right of refusal is over, as the costs of the auction will be spread over those parcels that actually go to auction. Also, there may still be some parcels that get pulled due to legal issues. We will have a list available for the public both on line and for purchase approximately July 1<sup>th</sup>.

I thank you for your cooperation in this and await your response.

FORECLOSURE LIST FOR VAN BUREN COUNTY  
For 2015 Foreclosures of 2012 and prior taxes

Parcel number - Description - Address - Local Unit - School District & Class	EST MKT VALUE	CURRENT ASSESSED	MINIMUM BID
80-53-260-006-00	\$ 116,400	\$ 58,200	\$ 98,250
<p>A856 10-1-17 1049-664-666 1474-596 1490-583 1615-84 *** BEG 90' W OF THE E LINE &amp; 33' N OF THE S LINE OF NW 1/4 OF SW 1/4 OF SEC 10, TH N 2.64', TH N 24 DEG 40' W 48.67', TH ALG CURVE TO RT WITH RAD OF 861.41' &amp; CHORD BEARING N 20 DEG 40' 30" W 119.3', TH ALG CURVE TO RT WITH RAD OF 708.17' &amp; CHORD BEARING N 13 DEG 30' W 79. 26', TH ALG CURVE TO RT WITH RAD OF 822.55' &amp; CHORD BEARING N 7 DEG W 80.87' TO PT 12.5' E OF CEN L MAIN TRACK OF RR, TH N PAR SD CEN L 230.2', TH N 5 DEG 50' E 10', TH N 9 DEG 21' E 37.9' TO PT 627' N OF S L OF NW1/4 SW1/4 OF SEC, TH S 89 DEG 52' E PAR SD S L 174' TO N &amp; S 1/8 L OF SW1/4 OF SEC, TH N ALG SD 1/8 L 85.79', TH E TO A PT 160' W OF W L OF INDIANA AVE, THE S 93.88', TH E 160' TO SD W L OF INDIANA AVE, THE S ALG SD W L 50', TH W 122.58', TH S 150', TH E 122.58' TO SD W L, TH S 385.91', TH W TO BEG. BEING PART OF BLK 1 OF ELKENBURG ADD &amp; UNPLATTED SECTION 10.</p> <p>Property Address: 229 ELKENBURG ST SOUTH HAVEN MI City of South Haven - South Haven Schools Class 201 - Commercial Improved</p>			
<p>The following lots will all be sold as one unit - with a deed restriction that they are not to be split until the property is devoped</p>			
80-53-858-020-00	\$ 34,600	\$ 17,300	total Min Bid \$ 46,900
<p>C544C20 3-1-17 1567-792 1575-429 * UNIT 20 NORTH HAVEN VILLAGE CONDOMINIUM TOGETHER WITH RIGHTS IN THE COMMON ELEMENTS AS DESCRIBED IN THE MASTER DEED RECORDED IN LIBER 1422, PAGE 149 AND ANY AMENDMENTS TO SAME. *** SPLIT ON 23</p>			

LOCAL DEVELOPMENT FINANCE AUTHORITY  
OF THE CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-04

A RESOLUTION TO ACQUIRE TAX FORECLOSURE PROPERTY  
FROM THE CITY OF SOUTH HAVEN

Minutes of a regular meeting of the Local Development Finance Authority of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on June 8, 2015 at 4:00 p.m. local time.

PRESENT: Bolt, Dotson, Gawreliuk, Timmer, Klavins, Schaffer, Valentine

ABSENT: Erdmann, Henry, Herrera

The following preamble and resolution was offered by Member Valentine and supported by Member Dotson.

WHEREAS, Section 78.m. of the General Property Tax Act of 1893, as amended, MCL 211.78m, allows a city to purchase tax foreclosed property within the city for a public purpose; and

WHEREAS, Van Buren County has tax foreclosed property located at 229 Elkenberg Street, South Haven, Michigan 49090, Parcel No. 80-53-260-006-00 (the "Overton Property"); and

WHEREAS, the City of South Haven (the "City") wishes to acquire the Overton Property and convey it to the Local Development Finance Authority of the City ("LDFA"), a public body corporate established by the City pursuant to the Local Development Financing Act of 1986, as amended, MCL 125.2151 *et seq.*, to ensure demolition of the dangerous building on it and its subsequent redevelopment; and

WHEREAS, the LDFA wishes to acquire the Overton Property from the City to ensure destruction of the dangerous building on it and its subsequent redevelopment; and

WHEREAS, the acquisition costs for the Overton Property are estimated to be \$98,265; and

WHEREAS, a LDFA has authority to acquire real property within its development district pursuant to Section 7 of PA 281, MCL 125.2157; and

WHEREAS, the Overton Property is located within the LDFA's development district.

NOW, THEREFORE, BE IT RESOLVED:

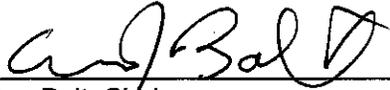
1. The acquisition of the Overton Property from the City for an amount not more than \$98,265 is approved, subject to such terms and conditions as may be agreed upon by the LDFA.
2. The Secretary of the LDFA Board and other LDFA officials are authorized to execute the documents and take other actions reasonably necessary or appropriate to consummate these transactions.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, are rescinded.

RECORD OF VOTE:

Yeas: Bolt, Dotson, Gawreliuk, Timmer, Klavins, Schaffer, Valentine

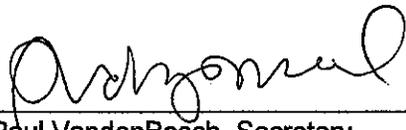
Nays: none

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
Arthur Bolt, Chair

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City of South Haven Local Development Finance Authority at a meeting held on the 8th day of June, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

  
\_\_\_\_\_  
Paul VandenBosch, Secretary

**An excerpt from the draft minutes of the June 8, 2015 LDFA meeting:**

**8. Overton Building Acquisition**

VandenBosch pointed out the map of the city's oldest Industrial District, identifying the Overton building and National Motors site. Stated that the Overton building is the last industrial ruin in this part of the industrial district and is presently located in the middle of a residential district. As is, the building constitutes a safety hazard. The city has been attempting to demolish the structure and recently the county has granted the city first chance to purchase the property, which VandenBosch described as "kind of paying our own taxes." The City Manager and City Council will be considering, on Monday, the purchase of the Overton property and will be asking the LDFA to take this property from the city, due to the past success of the LDFA with similar situations and properties. VandenBosch noted that the resolution on page seven (7) is an agreement by the LDFA to purchase the Overton property from the city for the actual cost at which the city acquires the building. VandenBosch noted that staff has a demolition project planned and hopes this building could be down by the end of the summer; that project will be a request coming back to the Brownfield Authority.

Dotson asked if this is a recommendation to Council. VandenBosch said staff put this proposal together; the LDFA will take ownership and work on demolition. There has been no official recommendation. Bolt explained that the LDFA has to agree to take the property before the city can agree to buy it.

Motion by Valentine, second by Dotson to approve the resolution presented: A Resolution to Acquire Tax Foreclosure Property from the City of South Haven.

All in favor. Motion carried.

# SKETCH

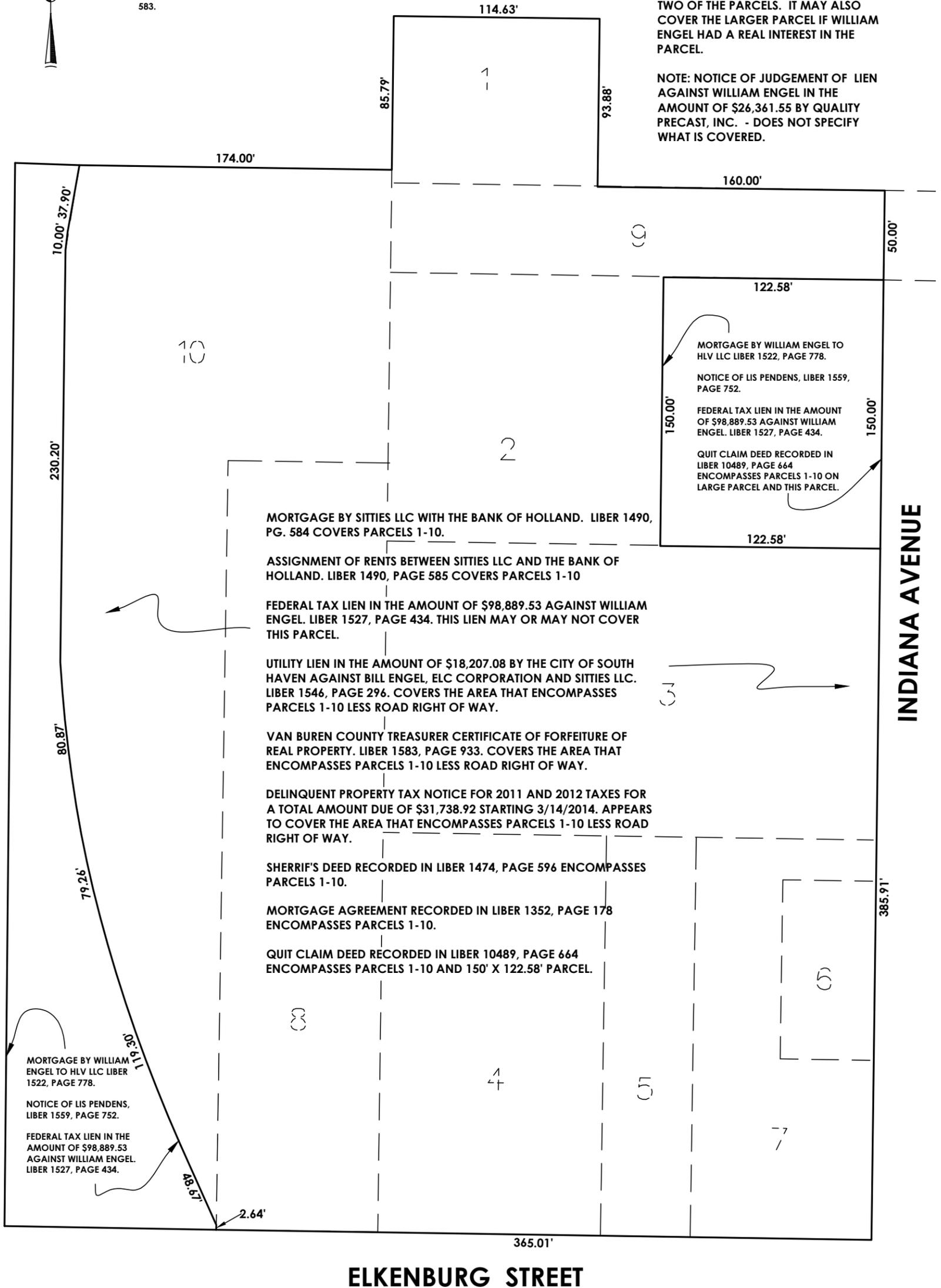


NOTE: DASHED LINES AND NUMBERS REPRESENT GENERAL CONFIGURATION AND LOCATION OF PARCELS IN THE COVENANT DEED TO SITTIES LLC, LIBER 1490, PAGE 583.

NOTE: THIS IS NOT A BOUNDARY SURVEY.

NOTE: TAX LIEN IN THE AMOUNT OF \$98,889.53 AGAINST WILLIAM ENGEL IS SHOWN ON THE SKETCH AS COVERING TWO OF THE PARCELS. IT MAY ALSO COVER THE LARGER PARCEL IF WILLIAM ENGEL HAD A REAL INTEREST IN THE PARCEL.

NOTE: NOTICE OF JUDGEMENT OF LIEN AGAINST WILLIAM ENGEL IN THE AMOUNT OF \$26,361.55 BY QUALITY PRECAST, INC. - DOES NOT SPECIFY WHAT IS COVERED.



## ELKENBURG STREET

## INDIANA AVENUE

NO. REVISION DESCRIPTION:

BY: DATE:

SHEET TITLE:

INFORMATIONAL SKETCH

PROJECT:

OVERTON BUILDING  
229 ELKENBURG  
SOUTH HAVEN



95 West Main Street  
Benton Harbor, MI 49022  
T 269.927.2295  
F 269.927.1017

Manistee, MI  
South Haven, MI  
South Bend, IN  
Portage, IN

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SHEET NO.

1 of 1

ACI JOB #

14-0142

SCALE:

HORZ: 1"=60'  
VERT:

DATE:

4/18/2014

QA/QC REVIEW:

PM REVIEW:

DESIGNED BY:

MAF

DRAWN BY:

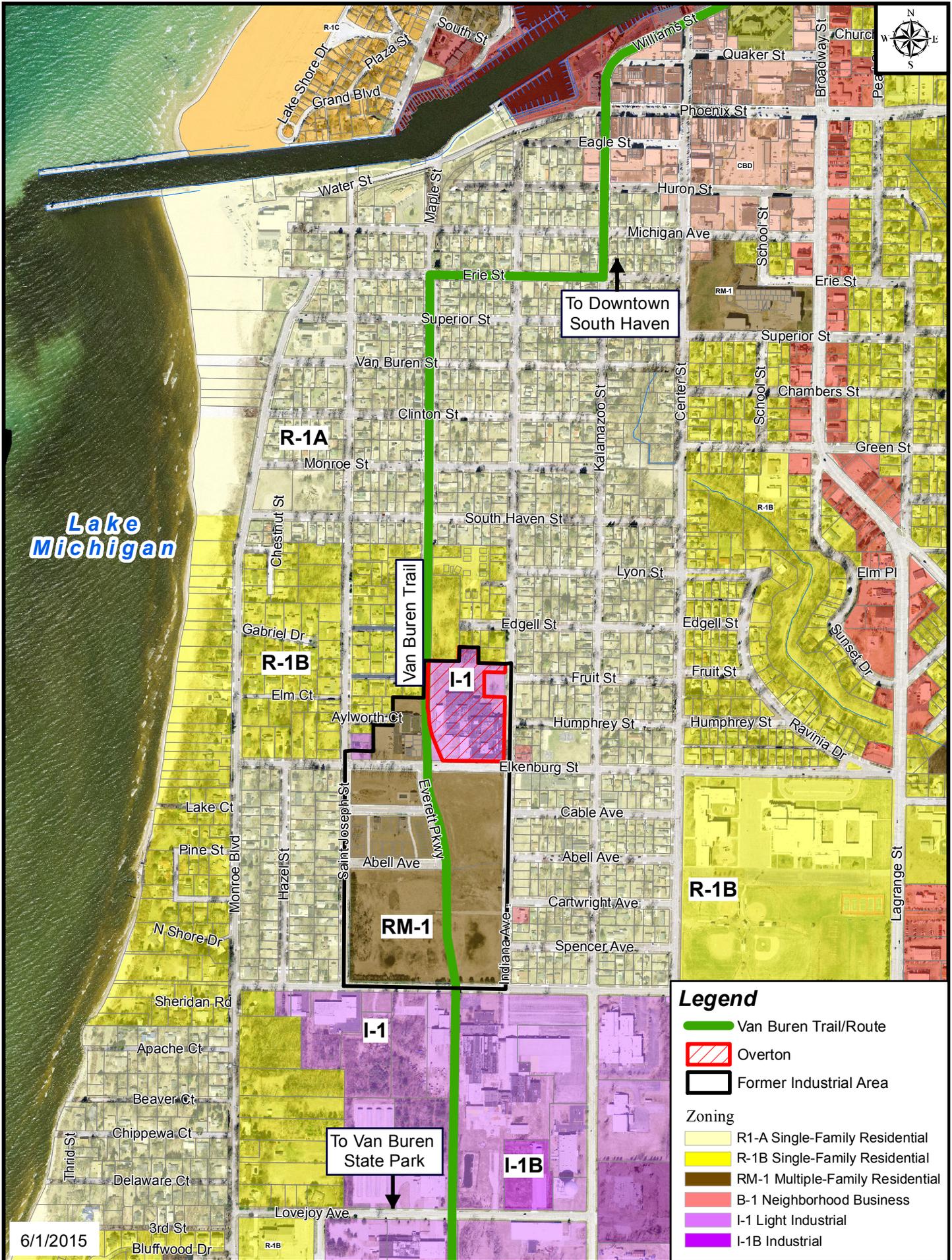
MAF



1994 Aerial



2011 Aerial





# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

Date: June 9, 2015  
To: Brian Dissette, City Manager  
Amanda Morgan, City Clerk  
From: Kate Hosier, Deputy City Clerk  
RE: New FOIA Policy

Beginning July 1, 2015, PA 563 of 2014, the new FOIA regulations go into effect, changing how governmental entities can charge for FOIA requests. Public Act 563 of 2014 amends certain sections and adds new sections to the original FOIA law, 1976 PA 442 as amended by 1996 PA 553. The new law requires public bodies to establish specific written procedures and guidelines for FOIA requests, including a separate written summary informing the public on how to submit FOIA requests, how to understand the public body's responses to FOIA requests, deposit requirements, fee calculations, and avenues for challenging and appealing denied requests.

To be compliant with the new law, there are a number of changes to be made to the City's FOIA policy. Since the City maintains an internet presence, it is required to post the procedures, guidelines, and written summary on its website. The City is also required to provide free copies of the procedures, guidelines, and written summary upon request, and is also required to include a free copy, or a website link to the policies, in all FOIA responses.

The procedures and guidelines must include a standard form to detail the itemization of any fee the public body estimates or charges under FOIA. The itemization must clearly list and explain each of the six fee components authorized under the new legislation, which include several categories of labor costs associated with producing records (e.g., DVDs, flash drives); copying costs; and postage costs.

The new legislation also increases mandatory punitive damages to be awarded to a plaintiff from \$500 to \$1,000, and mandates a new \$1,000 civil fine which a court must award if it finds the public body has arbitrarily and capriciously violated the Act. A court must impose an additional civil fine of \$2,500 to \$7,500 if it finds the public body willfully and intentionally failed to comply with the Act or otherwise acted in bad faith.

## **Recommendation:**

Adopt the FOIA Procedures and Guidelines as drafted and attached to the resolution.

## **Support:**

Resolution 2015-31  
FOIA Procedures & Guidelines  
Public Summary of FOIA Procedures & Guidelines  
Itemization of Costs for FOIA Requests

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-31

A RESOLUTION AMENDING THE FOIA POLICY

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on June 15, 2015 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, P.A. 563 of 2014 (the "Act"), effective as of July 1, 2015, has amended the Freedom of Information Act, 1976 PA 442 as amended by 1996 PA 553 ("FOIA"); and

WHEREAS, the Act requires that government entities establish specific written procedures and guidelines for FOIA requests, including a standard form to detail the itemization of any fee charged under FOIA; and

WHEREAS, FOIA requires government entities to post procedures and guidelines and written summary on its website if that that public body maintains an internet presence; and

WHEREAS, the City Council has determined that adopting the attached procedures and guidelines, written public summary, and detailed cost itemization sheet to bring the City into compliance with the Act.

NOW THEREFORE BE IT RESOLVED, that the City Council adopts the City of South Haven Freedom of Information Act Procedures & Guidelines attached as Exhibit A, the Public Summary of FOIA Procedures & Guidelines attached as Exhibit B, and the Detailed Cost Itemization attached as Exhibit C, to govern the City's responsibilities under the Freedom of Information Act, effective July 1, 2015; and

BE IT FURTHER RESOLVED, that any prior resolutions or parts of resolutions are, to the extent of any conflict with this Resolution, rescinded.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

---

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on June 15, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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Amanda Morgan, City Clerk

**CITY OF SOUTH HAVEN  
FREEDOM OF INFORMATION ACT PROCEDURES & GUIDELINES**

**Section 1: General Administration**

1.1. Purpose. These Procedures and Guidelines provide for the administration of the Michigan Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 *et seq.* (the “FOIA”), within the City of South Haven.

1.2. FOIA Coordinator and Designees. The City Clerk is the FOIA Coordinator for the City. The Records Clerk of the South Haven Police Department is a designee of the FOIA Coordinator, and may act on the FOIA Coordinator’s behalf with respect to records kept by that department. The FOIA Coordinator may designate other City staff to respond to FOIA requests from time to time. When used in the remainder of these Procedures and Guidelines, the term “FOIA Coordinator,” includes all authorized designees.

1.3. Administrative Rules and Forms. The FOIA Coordinator may implement additional administrative rules and promulgate forms to be used by the City in processing FOIA requests, provided those rules and forms are consistent with the FOIA and these Procedures and Guidelines. In accordance with the FOIA, the FOIA Coordinator shall promulgate: (1) a Detailed Itemization of Costs Form to be used whenever the City charges FOIA fees, and (2) a Public Summary of these Procedures and Guidelines.

1.4. Public Inspection. Reasonable facilities and opportunities will be provided for examination and inspection of public records during normal business hours. The FOIA Coordinator may promulgate rules regulating the inspection of records so as to protect against loss, alteration, mutilation, or destruction and to avoid excessive interference with City operations.

1.5. Records Retention. The FOIA Coordinator shall ensure that City departments follow appropriate records retention policies, in compliance with applicable state requirements. Further, the FOIA Coordinator shall keep a copy of all written requests for public records received by the City for a period of at least one year.

1.6. Availability of Policies and Forms. The following documents are posted on the City’s website and available in all City offices: (1) these Procedures and Guidelines; (2) the Detailed Itemization of Costs Form; and (3) the Public Summary of these Procedures and Guidelines.

**Section 2: Requests for Public Records**

2.1. Requests in Writing. A person making a request pursuant to the FOIA to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the City must do so in writing. The request must sufficiently describe a public record so as to enable City personnel to identify and find the requested public record. There is no required form for submitting requests.

2.2. Method of Submission. To ensure proper receipt, the City prefers that FOIA requests be made by one of the following methods:

Record Type	Mail / Hand Delivery	Email	Facsimile
General City	Office of the City Clerk 539 Phoenix Street South Haven, MI 49090	<a href="mailto:amorgan@south-haven.com">amorgan@south-haven.com</a>	(269) 637-5319
Police	South Haven Police Department Attn: Records Clerk 90 Blue Star Highway #1 South Haven, MI 49090	<a href="mailto:mparrish@south-haven.com">mparrish@south-haven.com</a>	(269) 637-9346

However, requests may be submitted in person or by mail to any City office, and shall be forwarded to the FOIA Coordinator or appropriate designee.

2.3. Receipt of Emails and Facsimiles. If the City receives a request for a public record by facsimile or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a City spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request. The FOIA Coordinator shall review his or her spam and junk-mail folders on a regular basis, no less than once a week.

2.4. Requesting Non-Paper Disclosure. A person may request that public records be provided by email or on non-paper physical media. The City will comply with the requests for the use of non-paper physical media only if it has the technological capacity to do so, without acquiring additional hardware.

2.5. Subscriptions to Public Records. A person may request to subscribe to future public records that are created, issued, or disseminated by the City on a regular basis (e.g. agendas, minutes, and other periodic reports). A subscription is valid for up to 6 months and may be renewed by the subscriber.

2.6. Incarcerated Persons. The City is not obligated under the FOIA to respond to records requests from persons serving a sentence of imprisonment in a local, state or federal correctional facility. However, in the interest of transparency, the City may choose to respond to requests from incarcerated persons if there are compelling reasons to do so. An incarcerated person who receives a response from the City is not entitled to the appeal rights or legal causes of action provided in the FOIA.

### **Section 3: Responding to a Request**

3.1. No Obligation to Create New Records. The FOIA does not require the City to create a new public record, make a compilation or summary of information which does not already exist, or answer questions contained in requests for public records. The City's response obligations are as described in this Section.

3.2. Time Period for Responding. Unless otherwise agreed to in writing by the person making the request, the FOIA Coordinator will either: (1) issue a response to a FOIA request within 5 business days of receipt, or (2) issue a notice indicating that, due to the nature of the request, the City needs an additional 10 business days to respond. The City's normal procedure is to respond within 5 days, and to issue a 10-day extension only in unusual circumstances such as when the FOIA Coordinator is unavailable, or when legal counsel is required to determine whether requested information is exempt from disclosure.

3.3. Form of Response. A response granting a FOIA request may be delivered in any form acceptable to or specified by the requester. A response denying a FOIA request shall be delivered in writing and signed by the FOIA Coordinator. The FOIA Coordinator shall deliver a copy of these Procedures and Guidelines and the City's Public Summary thereof simultaneously with all responses or, if responding by email, shall include a link to those documents on the City's website.

3.4. Options for Disposition. The City will respond to a request by:

- A. Granting the request;

- B. Issuing a written notice denying the request;
- C. Granting the request in part and issuing a written notice denying the request in part; or
- D. Issuing a written notice indicating that the public record requested is available at no charge on the City's website.

3.5. Delivery or Inspection of Records After Grant. A response granting a request in whole or in part shall do one of the following: (1) provide the requested records; (2) provide information as to when and how the requester can inspect the requested record in a City facility, if the requester asked for an opportunity for inspection; (3) inform the requester that payment of applicable fees is required before the City will provide the requested records; or (4) inform the requester that the City is requiring a fee deposit before searching for the requested records and separating exempt material. Certified copies of public records shall be provided at no additional cost upon request.

3.6. Contents of Denial Notice. If request is denied or denied in part, the FOIA Coordinator will issue a denial notice which shall provide, as applicable:

- A. An explanation as to why the record (or material redacted from the record) is exempt from disclosure; or
- B. A certification stating that the requested record does not exist under the name or description provided by the requester, or another name reasonably known by the City; and
- C. A description of any material redacted from the record; and
- D. An explanation of the person's right to submit an appeal of the denial to the City Manager, or to seek judicial review in the Van Buren County Circuit Court; and
- E. An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.

3.7. Denial of Deficient Requests. If a request does not sufficiently describe a public record, the FOIA Coordinator may issue a denial notice seeking clarification. The requester's clarification will be considered a new request subject to the timelines described in this Section.

3.8. Receipt of Requests by Non-Designated Employees. Any employee receiving a written communication that conveys a request for information shall forward the communication to the FOIA Coordinator. City employees are not generally obligated to respond to verbal requests for information, but if the employee knows that requested information is available on the City's website, the employee shall inform a verbal requester of that fact.

#### **Section 4: Fee Calculations**

4.1. Fee Categories. Subject to the terms and conditions in this Section, the City may charge for the following costs associated with processing a FOIA request:

- A. Labor costs directly associated with searching for, locating and examining a requested public record (only when failure to charge a fee would result in unreasonably high costs).
- B. Labor costs associated with a review of a record to separate and delete information exempt from disclosure of information which is disclosed (only when failure to charge a fee would result in unreasonably high costs).
- C. The actual cost of computer discs, computer tapes or other similar non-paper media.

- D. The cost of the duplication, not including labor, of paper copies of public records.
- E. The cost of labor associated with duplication or publication, including making paper copies, making digital copies or transferring digital public records to non-paper physical media or through the Internet or other electronic means.
- F. The actual cost of mailing or sending a public record.

4.2. Labor Fees. Fees for labor costs will be calculated in accordance with the following:

- A. All labor costs will be estimated and charged in 15 minute increments with all partial time increments rounded down.
- B. Labor costs for employees will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs the work.
- C. If using contract or outside labor to separate and delete exempt material from non-exempt material, the public body must clearly note the name of person or firm who does the work and total labor fee for the work may not exceed an amount 6 times the state minimum hourly wage. No fee shall be charged for contract or outside laborers performing any function other than those specified in this paragraph.
- D. Labor costs may be charged to cover or partially cover the cost of fringe benefits for employees. The City may add up to 50% to the applicable labor charge to cover or partially cover the cost of fringe benefits, but the charge shall not exceed the actual cost of fringe benefits.
- E. Overtime wages may not be included in labor costs unless agreed to by the requestor. Overtime costs will not be used to calculate the fringe benefit cost.

4.3. “Unreasonably High Cost” Requirement. When charging a fee for the categories of labor described in 4.1.A and 4.1.B above, the FOIA Coordinator shall specifically identify why the failure to charge a fee would result in unreasonably high costs to the City, which are costs greater than those incurred in the typical or usual request received by the City. The following factors may be relevant:

- A. The volume of the public record requested
- B. The amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- C. Whether public records from more than one City department or various City offices is necessary to respond to the request.
- D. The available staffing to respond to the request.
- E. Other similar factors identified by the FOIA Coordinator.

4.4. Non-Paper Media Fees. Fees for providing records on non-paper physical media are calculated based on the actual cost of procuring the non-paper physical media used. In order to ensure the integrity and security of the City's technology infrastructure, the City will procure the requested non-paper media and will not accept non-paper media from the requestor. The City will procure the needed non-paper media at the most reasonably economical cost.

4.5. Copying Fees. The fee for paper copies made on standard letter (8 1/2 x 11) or legal (8 1/2 x 14) sized paper will not exceed \$.10 per sheet. Copies for nonstandard sized sheets of paper will reflect the actual cost of reproduction. The City may provide records using double-sided printing, if

cost-saving and available.

4.6. Mailing Fees. Fees for mailing records to the requestor are based on the actual cost of mailing, using a reasonably economical and justified means. The City may charge for the least expensive form of postal delivery confirmation, but shall not charge for expedited shipping or insurance unless requested.

4.7. Fee Reductions. The FOIA Coordinator shall reduce the amount of the applicable fee for labor costs by 5% for each day the City exceeds the applicable deadline for responding to a FOIA request, up to a maximum reduction of 50% of such fee, if any of the following applies:

- A. The late response was willful and intentional;
- B. The written request, within the first 250 words of the body of a letter facsimile, e-mail or e-mail attachment conveyed a request for information; or
- C. The written request included the words, characters, or abbreviations for “freedom of information,” “information” “FOIA,” “copy,” or a recognizable misspelling of such, or legal code reference to MCL 15. 231 *et seq.* or 1976 Public Act 442 on the front of an envelope or in the subject line of an e-mail, letter or facsimile cover page.

The FOIA Coordinator shall fully note any fee reduction in the Detailed Itemization of Costs Form.

### **Section 5: Fee Deposits**

5.1. Good Faith Deposit. If, based on a good faith calculation by the City, the cost of processing a FOIA request is expected to exceed \$50, or if the requestor has not fully paid for a previously granted request, the City will require a good-faith deposit before processing the request. In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the City to process the request and also provide a best efforts estimate of a time frame it will take the City to provide the records to the requestor. The best efforts estimate shall be nonbinding on the City, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

5.2. Deposits Due to High Estimated Fees. If a deposit is charged because the fee estimate is expected to exceed \$50.00, the deposit shall not exceed one half of the total estimated fee.

5.3. Deposits Due to Prior Non-Payment. If a deposit is charged because the requester has not fully paid the City for copies of public records made in fulfillment of a request, a deposit of 100% of the estimated processing fee may be charged if all the following conditions are established:

- A. The prior request was made within the last 365 days;
- B. The final fee for the prior request is not more than 105% of the estimated fee;
- C. The public records made available contained the information sought in the prior request and remain in the City’s possession;
- D. The public records were made available to the individual, subject to payment, within the time frame estimated by the City to provide the records;
- E. 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- F. The individual is unable to show proof of prior payment to the City; and

- G. The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

## **Section 6: Fee Waivers**

6.1. Public Interest Waiver. The FOIA Coordinator may, in his or her sole discretion, waive or reduce FOIA fees upon determining that the request is in the public interest.

6.2. Indigency Waiver. The FOIA Coordinator shall generally waive the first \$20.00 of a FOIA fee if the requester submits a sworn affidavit stating that the requester is indigent and receiving specific public assistance, or otherwise demonstrating an inability to pay because of indigence. However, fees shall not be waived if:

- A. The requestor has previously received discounted copies of public records from the City two times during the calendar year; or
- B. The requestor requests information in connection with other persons who are offering or providing payment to make the request.

6.3. Waiver for Certain Nonprofit Organizations. The FOIA Coordinator shall waive the first \$20.00 of a FOIA fee if the requester is a nonprofit organization designated to by the State to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 200 and the Protection and Advocacy for Individuals with Mental Illness Act, or their successors, if the request is:

- A. Made directly on behalf of the organization or its clients;
- B. Made for a reason wholly consistent with the mission and provisions of those laws under Section 931 of the Mental Health Code, MCL 330.1931; and
- C. Accompanied by documentation of its designation by the State.

## **Section 7: Appeals**

7.1. Appeals to City Manager. A requester may appeal a decision of the FOIA Coordinator on the grounds that: (1) all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure; or (2) the fee charged to process a FOIA request exceeds the amount permitted by state law. Appeals shall be filed with the City Manager, who is the administrative head of the City pursuant to the City Charter. The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. If no appeal is taken within the applicable timeframe, the decision of the FOIA Coordinator shall be deemed to be the final decision of the City.

7.2. Decision on Nondisclosure Appeals. Within 10 business days of receiving an appeal asserting that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, the City Manager will respond in writing by:

- A. Reversing the disclosure denial;
- B. Upholding the disclosure denial; or
- C. Reversing the disclosure denial in part and upholding the disclosure denial in part.

Under unusual circumstances, such as the need to examine or review a voluminous amount of separate and distinct public records or the need to collect the requested records from numerous facilities located apart from the office receiving or processing the request, the City Manager may issue not more than 1 notice of extension for not more than 10 business days to respond to the appeal.

7.3. Decision on Fee Appeals. Within 10 business days after receiving an appeal asserting that the fee charged to process a FOIA request exceeds the amount permitted by state law, the City Manager will respond in writing by:

- A. Waive the fee;
- B. Reduce the fee and issue a written determination indicating the specific basis that supports the remaining fee, accompanied by a certification by the City Manager that the statements in the determination are accurate and the reduced fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA;
- C. Uphold the fee and issue a written determination indicating the specific basis under Section 4 of the FOIA that supports the required fee, accompanied by a certification by the City Manager that the statements in the determination are accurate and the fee amount complies with these Procedures and Guidelines and Section 4 of the FOIA; or
- D. Issue a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Manager will respond to the written appeal.

7.4. Deadline for Circuit Court Actions. The requestor may file a civil action in Van Buren County Circuit Court to challenge the City's response to a FOIA request within: (1) 180 days after the City's final decision, if challenging nondisclosure; or (2) 45 days after the City's final decision, if challenging a requested fee. Notably, a requestor may challenge a determination of the FOIA coordinator in civil action in without first appealing to the City Manager, if the challenge is based on nondisclosure.

7.5. Circuit Court Remedies in Nondisclosure Cases. If a court determines that a public record is not exempt from disclosure, it will award the appellant reasonable attorneys' fees, costs, and disbursements. If the court determines that the appellant prevails only in part, the court in its discretion may award all or an appropriate portion of reasonable attorneys' fees, costs and disbursements. If the court determines that the City arbitrarily and capriciously violated the FOIA by refusing or delaying the disclosure of copies of a public record, it will award the appellant punitive damages in the amount of \$1,000.

7.6. Circuit Court Remedies in Fee Cases. If the court determines that the City required a fee that exceeds the amount permitted, it shall reduce the fee to a permissible amount. If the appellant in the civil action prevails by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that City has acted arbitrarily and capriciously by charging an excessive fee, the court will also award the appellant punitive damages in the amount of \$500.

## **Section 8: Miscellaneous**

8.1. Effective Date. These Procedures and Guidelines shall take effect on July 1, 2015.

8.2. Repealer. As of their effective date, these Procedures and Guidelines repeal and supersede all previous FOIA policies promulgated by City Council or City staff.

8.3. Modifications by FOIA Coordinator. If any provision of these Procedures and Guidelines is found to be in conflict with any State statute, or if the FOIA is amended in a manner that creates a conflict, the FOIA Coordinator is authorized to modify the affected provisions of these Procedures and Guidelines. The FOIA Coordinator shall inform the City Council of any change.

**City of South Haven  
Public Summary of FOIA Procedures and Guidelines**

Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the following is a Written Public Summary of the City's FOIA Procedures and Guidelines relevant to the general public. For more details and information, copies of the City's FOIA Procedures and Guidelines are available at no charge at any City office and on the City's website: <http://www.south-haven.com/foia.com>

**1. How do I submit a FOIA request to the City?**

- A. FOIA requests must be made in writing and must sufficiently describe a public record so as to enable the City to find it. There is no required form for submitting FOIA requests. Any letter, email, fax, or other writing will suffice.
- B. Please include the words "FOIA" or "FOIA Request" in the request to assist the City in providing a prompt response.
- C. The City Clerk, Amanda Morgan, is in charge of responding to all FOIA requests for general City records. The Police Department Records Clerk, Michelle Parrish, is in charge of responding to FOIA requests for records held by the South Haven Police Department.
- D. To ensure proper receipt, the City prefers that FOIA requests be submitted by one of the following methods:

Record Type	Mail / Hand Delivery	Email	Facsimile
General City	Office of the City Clerk 539 Phoenix Street South Haven, MI 49090	<a href="mailto:amorgan@south-haven.com">amorgan@south-haven.com</a>	(269) 637-5319
Police	South Haven Police Department Attn: Records Clerk 90 Blue Star Highway #1 South Haven, MI 49090	<a href="mailto:mparrish@south-haven.com">mparrish@south-haven.com</a>	(269) 637-9346

**2. What kind of response can I expect to my request?**

- A. Within 5 business days after receiving a FOIA request, or after 15 business days if a notice of extension is issued, the City will respond to the request. If a request is received by fax or email, the request is deemed to have been received on the following business day. The City will respond to your request in one of the following ways:
  - o Grant the request,
  - o Issue a written notice denying the request,
  - o Grant the request in part and issue a written notice denying in part the request, or
  - o Issue a written notice indicating that the public record requested is available at no charge on the City's website
- B. If the request is granted, or granted in part, the City may ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.

- C. If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the City may require a deposit before processing the request.

### **3. How does the City calculate FOIA processing fees?**

The FOIA statute permits the City to charge for the following costs associated with processing a request:

- A. Labor costs associated with copying or duplication, including making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- B. Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the City.
- C. Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the City.
- D. The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the City's website if you ask for the City to make copies.
- E. The cost of computer discs or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the City's website if you ask for the City to make copies.
- F. The cost to mail or send a public record to a requestor.

#### **3.1 Labor Costs**

- A. Labor costs are estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- B. Labor costs are charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- C. Labor costs may include a charge to cover or partially cover the cost of fringe benefits.
- D. Overtime wages are not included in labor costs unless agreed to by the requestor. Further, overtime costs are not be used to calculate the fringe benefit costs.
- E. Contracted labor costs will be charged at an hourly rate not exceeding 6 times the state minimum hourly wage.

#### **3.2 Copying and Duplication**

The City will use the most economical method for making copies of public records, including using double-sided printing, if cost-saving and available.

#### **3.3 Non-paper Copies on Physical Media**

- A. The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual to the City. The City will procure any needed non-paper media at the most reasonably economical cost.

- B. The City is not obligated to disclose public records on a requested non-paper physical media if it lacks the technological capability to do so.

### **3.4 Paper Copies**

- A. The charge for paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
- B. The charge for copies on non-standard sized sheets will paper will reflect the actual cost of reproduction.

### **3.5 Mailing Costs**

- A. The cost to mail public records will reflect a reasonably economical and justified means.
- B. The City may charge for the least expensive form of postal delivery confirmation.
- C. No cost will be made for expedited shipping or insurance unless you request it.

### **3.6 Waiver of Fees**

The charge searching for and copying a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest.

## **4. How do I qualify for an indigence discount on the fee?**

The City will discount the first \$20.00 of fees for a request from: (1) certain qualifying nonprofit organizations advocating for the developmentally disabled or mentally ill; or (2) persons who submit a sworn affidavit stating that they are:

- A. Indigent and receiving specific public assistance; or
- B. If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

However, a person is **not** eligible to receive the \$20.00 discount if he or she:

- C. Has previously received discounted copies of public records from the City two times during the calendar year; or
- D. Is requesting information on behalf of other persons who are offering or providing payment for making the request.

## **6. How may I challenge the denial of a public record or an excessive fee?**

### **6.1 Appeal of a Denial of a Public Record**

- A. If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may appeal to the City Manager by filing a written appeal with the City Manager's Office or Clerk's Office.
- B. The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons you are seeking a reversal of the denial.

- C. Within 10 business days of receiving the appeal the City Manager will respond in writing by:
- Reversing the disclosure denial;
  - Upholding the disclosure denial; or
  - Reversing the disclosure denial in part and upholding the disclosure denial in part.
- D. Whether or not you submitted an appeal of a denial to the City Manager, you may file a civil action in Van Buren County Circuit Court within 180 days after the City's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

### **6.2 Appeal of an Excess FOIA Processing Fee**

- A. If you believe that the fee charged by the City to process your FOIA request exceeds the amount permitted by state law, you may appeal to the City Manager by filing a written appeal with the City Manager's Office or Clerk's Office.
- B. The appeal must specifically state the word "appeal" and identify how the required fee exceeds the amount permitted.
- C. Within 10 business days after receiving the appeal, the City Manager will respond in writing by:
- Waiving the fee;
  - Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
  - Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
  - Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Manager will respond to the written appeal.
- D. Within 45 days after receiving notice of the City Manager's determination of the processing fee appeal, you may commence a civil action in Van Buren County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$1,000.

City Staff: Keep original and provide copies of both sides of each sheet, along with the City's Procedures and Guidelines and Public Summary, to requestor at no charge.

City of South Haven, Van Buren & Allegan Counties  
 539 Phoenix Street  
 South Haven, MI 49090  
 Phone: (269) 637-0700

www.south-haven.com/FOIA.com

## Freedom of Information Act Request Detailed Cost Itemization

Date: \_\_\_\_\_ Prepared for Request No.: \_\_\_\_\_ Date Request Received: \_\_\_\_\_

<p>The following costs are being charged in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, and the City's FOIA Procedures and Guidelines.</p>	<p>Department: _____</p>	
<p><b>1. Labor Cost for Copying / Duplication</b></p> <p>This is the cost of labor directly associated with duplication of publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor.</p> <p>This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor.</p> <p>These costs will be estimated and charged in 15-minute increments. All partial time increments must be rounded down. <i>If the number of minutes is less than one increment, there is no charge.</i></p> <p>Hourly Wage Charged: \$ _____ Charge per increment: \$ _____  <u>OR</u>          Hourly Wage with Fringe Benefit Cost: \$ _____ <u>OR</u>          Multiply the hourly wage by the percentage multiplier: _____ %  <i>(up to 50% of the hourly wage)</i> and add to the hourly wage for a total per hour rate.</p> <p><input type="checkbox"/> Overtime rate charged as stipulated by Requestor <i>(overtime is not used to calculate the fringe benefit cost)</i></p>	<p>To figure the number of increments, take the <i>number of minutes</i>: _____, divide by 15-minute increments, and round down.  <i>Enter below:</i></p> <p>Number of increments</p> <p>x _____ =</p>	<p>1. Labor Cost</p> <p>\$ _____</p>
<p><b>2. Labor Cost to Locate:</b></p> <p>This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. <b>This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically:</b> _____</p> <hr/> <p>The City will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.</p> <p>These costs will be estimated and charged in 15-minute time increments; All partial time increments must be rounded down. <i>If the number of minutes is less than 15, there is no charge.</i></p> <p>Hourly Wage Charged: \$ _____ Charge per increment: \$ _____  <u>OR</u>          Hourly Wage with Fringe Benefit Cost: \$ _____ <u>OR</u>          Multiply the hourly wage by the percentage multiplier: _____ %  <i>(up to 50% of the hourly wage)</i> and add to the hourly wage for a total per hour rate.</p> <p><input type="checkbox"/> Overtime rate charged as stipulated by Requestor <i>(overtime is not used to calculate the fringe benefit cost)</i></p>	<p>To figure the number of increments, take the <i>number of minutes</i>: _____, divide by 15-minute increments, and round down.  <i>Enter below:</i></p> <p>Number of increments</p> <p>x _____ =</p>	<p>2. Labor Cost</p> <p>\$ _____</p>

**3a. Employee Labor Cost for Separating Exempt from Non-Exempt (Redacting):**

*(Fill this out if using a City employee. If contracted, use No. 3b instead).*

The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically: \_\_\_\_\_

This is the cost of labor of a **City employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the **City's lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in 15-minute time increments; All partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ \_\_\_\_\_

Charge per increment: \$ \_\_\_\_\_

OR

Hourly Wage with Fringe Benefit Cost: \$ \_\_\_\_\_

OR

Multiply the hourly wage by the percentage multiplier: \_\_\_\_\_%  
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per increment: \$ \_\_\_\_\_

Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

To figure the number of increments, take the *number of minutes*: \_\_\_\_\_, divide by *15-minute increments*, and round down. Enter below:

Number of increments

3a. Labor Cost

x \_\_\_\_\_ = \$ \_\_\_\_\_

**3b. Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting):**

*(Fill this out if using a contractor, such as the attorney. If using in-house employee, use No. 3a instead.)*

The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically: \_\_\_\_\_

As this City does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (e.g.:outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of \_\_\_\_\_.

Name of contracted person or firm: \_\_\_\_\_

These costs will be estimated and charged in 15-minute time increments; All partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Cost Charged: \$ \_\_\_\_\_

Charge per increment: \$ \_\_\_\_\_

To figure the number of increments, take the *number of minutes*: \_\_\_\_\_, divide by *15-minute increments*, and round down to: \_\_\_\_\_ increments. Enter below:

Number of increments

3b. Labor Cost

x \_\_\_\_\_ = \$ \_\_\_\_\_

**4. Copying / Duplication Cost:**

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (*for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection*).

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- Letter (8 1/2 x 11-inch, single and double-sided): \_\_\_\_\_ cents per sheet
- Legal (8 1/2 x 14-inch, single and double-sided): \_\_\_\_\_ cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- Other paper sizes (single and double-sided): \_\_\_\_\_ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- *Circle applicable:* Disc / Tape / Drive / Other Digital Medium Cost per Item: \_\_\_\_\_

The cost of paper copies **must** be calculated as a total cost per sheet of paper. The fee **cannot exceed 10** cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. A City **must** utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

Number of Sheets:

x \_\_\_\_\_ = \$ \_\_\_\_\_  
 x \_\_\_\_\_ = \$ \_\_\_\_\_

x \_\_\_\_\_ = \$ \_\_\_\_\_

No. of Items:

x \_\_\_\_\_ = \$ \_\_\_\_\_

Costs:

4. Total Copy Cost

\$ \_\_\_\_\_

**5. Mailing Cost:**

The City will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- The City *may* charge for the least expensive form of postal delivery confirmation.
- The City *cannot* charge more for expedited shipping or insurance unless specifically requested by the requestor.\*

Actual Cost of Envelope or Packaging: \$ \_\_\_\_\_

Actual Cost of Postage: \$ \_\_\_\_\_ per stamp  
 \$ \_\_\_\_\_ per pound  
 \$ \_\_\_\_\_ per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ \_\_\_\_\_

\*Expedited Shipping or Insurance as Requested: \$ \_\_\_\_\_

Number of Envelopes or Packages:

x \_\_\_\_\_ = \$ \_\_\_\_\_

Costs:

5. Total Mailing Cost

\$ \_\_\_\_\_

\* Requestor has requested expedited shipping or insurance

**6a. Copying/Duplicating Cost for Records Already on City's Website:**

If the public body has included the website address for a record in its written response to the requestor, and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or non-paper physical digital media, the City will provide the public records in the specified format and may charge copying costs to provide those copies.

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- Letter (8 1/2 x 11-inch, single and double-sided): \_\_\_\_\_ cents per sheet
- Legal (8 1/2 x 14-inch, single and double-sided): \_\_\_\_\_ cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- Other paper sizes (single and double-sided): \_\_\_\_\_ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- *Circle applicable:* Disc / Drive / Other Digital Medium Cost per Item: \_\_\_\_\_

Requestor has stipulated that some / all of the requested records that are already available on the City's website be provided in a paper or non-paper physical digital medium.

Number of Sheets:	Costs:
x _____ =	\$ _____
x _____ =	\$ _____
x _____ =	\$ _____
No. of Items:	
x _____ =	\$ _____
	6a. Web Copy Cost
	\$ _____

**6b. Labor Cost for Copying/Duplicating Records Already on City's Website:**

This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15-minute time increments ; All partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ \_\_\_\_\_ Charge per increment: \$ \_\_\_\_\_

OR

Hourly Wage with Fringe Benefit Cost: \$ \_\_\_\_\_ OR

Multiply the hourly wage by the percentage multiplier: \_\_\_\_\_ % Charge per increment: \$ \_\_\_\_\_

The City may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

Overtime rate charged as stipulated by Requestor

To figure the number of increments, take the *number of minutes*: \_\_\_\_\_, divide by 15-minute increments, and round down. Enter below:

Number of increments	6b. Web Labor Cost
x _____ =	\$ _____

**6c. Mailing Cost for Records Already on City's Website:**

Actual Cost of Envelope or Packaging: \$ \_\_\_\_\_

Actual Cost of Postage: \$ \_\_\_\_\_ per stamp / per pound / per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ \_\_\_\_\_

\*Expedited Shipping or Insurance as Requested: \$ \_\_\_\_\_

\* Requestor has requested expedited shipping or insurance

Number:	Costs:
x _____ =	\$ _____
	6c. Web Mailing Cost
	\$ _____

**Subtotal Fees Before Waivers, Discounts or Deposits:**

- Cost estimate
- Bill

- 1. Labor Cost for Copying: \$ \_\_\_\_\_
- 2. Labor Cost to Locate: \$ \_\_\_\_\_
- 3a. Labor Cost to Redact: \$ \_\_\_\_\_
- 3b. Contract Labor Cost to Redact: \$ \_\_\_\_\_
- 4. Copying/Duplication Cost: \$ \_\_\_\_\_
- 5. Mailing Cost: \$ \_\_\_\_\_
- 6a. Copying/Duplication of Records on Website: \$ \_\_\_\_\_
- 6b. Labor Cost for Copying Records on Website: \$ \_\_\_\_\_
- 6c. Mailing Costs for Records on Website: \$ \_\_\_\_\_
- Subtotal Fees:** \$ \_\_\_\_\_

**Estimated Time Frame to Provide Records:**

\_\_\_\_\_ (days or date)

The time frame estimate is nonbinding upon the City, but the City is providing the estimate in good faith. Providing an estimated time frame does not relieve the City from any of the other requirements of the FOIA

**Waiver: Public Interest**

A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the City determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

- All fees are waived **OR**  All fees are reduced by: \_\_\_\_\_%

**Subtotal Fees After Waiver:** \$ \_\_\_\_\_

**Discount: Indigence**

A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first \$20.00 of the fee** for each request by an individual who is entitled to information under this act and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, **OR**
- 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if **ANY** of the following apply:

- (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, **OR**
- (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

- Eligible for Indigence Discount

**Subtotal Fees After Discount (subtract \$20):** \$ \_\_\_\_\_

**Discount: Nonprofit Organization**

A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first \$20.00 of the fee** for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets **ALL** of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
- (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931.
- (iii) Is accompanied by documentation of its designation by the state, if requested by the City.

- Eligible for Nonprofit Discount

**Subtotal Fees After Discount (subtract \$20):** \$ \_\_\_\_\_

<p><b>Deposit: <u>Good Faith</u></b>                  The City may require a good-faith deposit <u>before providing the public records to the requestor</u> if the entire fee estimate or charge authorized under this section exceeds \$50.00, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee.      <b>Percent of Deposit:</b> _____%</p>	<p><b>Date Paid:</b>                  _____</p>	<p><b>Deposit Amount Required:</b>                  \$ _____</p>
<p><b>Deposit: <u>Increased Deposit Due to Previous FOIA Fees Not Paid In Full</u></b>                  After a City has granted and fulfilled a written request from an individual under this act, if the City has not been paid in full the total amount of fees for the copies of public records that the City made available to the individual as a result of that written request, <b>the City may require an increased estimated fee deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual</b> if ALL of the following apply:</p> <p>(a) The final fee for the prior written request was not more than 105% of the estimated fee.                  (b) The public records made available contained the information being sought in the prior written request and are still in the City's possession.                  (c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request.                  (d) Ninety (90) days have passed since the City notified the individual in writing that the public records were available for pickup or mailing.                  (e) The individual is unable to show proof of prior payment to the City.                  (f) The City calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit.</p> <p>A City can no longer require an increased estimated fee deposit from an individual if ANY of the following apply:</p> <p>(a) The individual is able to show proof of prior payment in full to the City, <b>OR</b>                  (b) The City is subsequently paid in full for the applicable prior written request, <b>OR</b>                  (c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to the City.</p>	<p><b>Date Paid:</b>                  _____</p>	<p><b>Percent Deposit Required:</b>                  _____%</p> <p><b>Deposit Required:</b>                  \$ _____</p>
<p><b>Late Response <u>Labor Costs</u> Reduction</b>                  If the City does not respond to a written request in a timely manner as required under MCL 15.235(2), the City must do the following:</p> <p>(a) <b>Reduce the charges for labor costs</b> otherwise permitted by 5% for each day the City exceeds the time permitted for a response to the request, <b>with a maximum 50% reduction</b>, if EITHER of the following applies:</p> <p>(i) The late response was willful and intentional, <b>OR</b></p> <p>(ii) The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy", or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.</p>	<p><b>Number of Days Over Required Response Time:</b>                  _____</p> <p><b>Multiply by 5%</b>                  _____</p> <p><b>= Total Percent Reduction:</b>                  _____</p>	<p><b>Total Labor Costs</b>                  \$ _____</p> <p><b>Minus Reduction</b>                  \$ _____</p> <p><b>= Reduced Total Labor Costs</b>                  \$ _____</p>
<p>The Public Summary of the City's FOIA Procedures and Guidelines is available free of charge from:                  Website: _____ Email: _____                  Phone: _____ Address: _____</p> <p style="text-align: center;"><b>Request Will Be Processed,                  But <u>Balance Must Be Paid Before</u> Copies May Be Picked Up, Delivered or Mailed</b></p>	<p><b>Date Paid:</b>                  _____</p>	<p><b>Total Balance Due:</b>                  \$ _____</p>



## Agenda Item # 13

### SRF Public Hearing & Plan Adoption

#### Background Information:

The City Council will be asked to host a public hearing and presentation on the city's wastewater system improvements plan and to consider the approval of Resolution 2015-32 a resolution formally adopting the improvement plan and implementation schedule.

The City of South Haven received an S2 grant from the State of Michigan for funding a study of the city's sewer system. The S2 grant totaled \$499,000. The grant program was created to accelerate the progress of water pollution control efforts and to facilitate system improvements through the utilization of the State Revolving Fund (SRF) program. As a requirement of the grant, the city is required to submit an administratively complete loan application for assistance from the SRF or other source of funding for the identified projects no later than September, 2016.

The scope of the study included utility mapping, field investigation, smoke testing, flow metering, computer modeling, sewer televising, dye testing, and sewer service investigation in order to identify opportunities to reduce or eliminate excessive wet weather infiltration and inflow (I/I) from the wastewater system, to identify critical structural defects warranting corrective action, and to confirm necessary wastewater treatment plant improvements. The study culminates with the Project Plan, the first required step in the loan application process. The Project Plan is due by July 1 for the next fiscal year funding cycle with the Michigan Department of Environmental Quality (MDEQ.)

The presentation scheduled for the Council's regular June 15<sup>th</sup> meeting is a required element of the Project Plan. A public hearing is prescribed in the SRF guidance and the items included in the presentation are required to be shared with the public, as well as being needed to sufficiently describe the proposed projects.

After the public hearing is complete the Council may adopt the resolution provided and instruct Abonmarche and staff to submit the Project Plan to the MDEQ by July 1<sup>st</sup> for Fiscal Year 16 funding – announced in October 2015. The Council could also request changes to the plan, based upon public input, prior to final submittal.

If the city ranks high enough on the Project Priority List (PPL), in October, as determined by the MDEQ based upon population, enforcement action, water pollution severity/dilution of receiving stream, disadvantaged status, and other factors, Part I, II, and III Applications along with plans and specifications, bid data, proposed schedule, financing plan, rate analysis, etc. will all be required by prescribed dates corresponding to the desired loan closing/construction start dates. After a favorable determination that the city is on the PPL final details will be prepared and a Final Order of Approval will be prepared which outlines

the final steps toward a loan closing. After the loan closing the MDEQ provides monthly disbursements for incurred costs during construction. At the completion of construction an Initiation of Operation document establishes the administrative completion of the project and defines when semi-annual interest and annual principal payments begin. Annual principal payments begin within one year of Initiation of Operation, either April 1 or October 1. Semi-Annual interest payments are due on those dates. As outlined in the city's draft plan, if the city is on the PPL for Fiscal Year 2016 and construction proceeds into 2018, it is expected that principal payments would begin in 2019.

The financial highlights of the Project Plan are summarized below:

**Segment I Total Cost = \$13,772,646**

If the city is awarded funds in Fiscal Year 2016, then construction could start in 2016 and run through 2018. Rates are expected to increase by \$6.50/mo to \$10.94/mo per user, depending upon a few factors such as potential Downtown Development Authority and/or Local Development Finance Authority contributions and if the city received disadvantaged status. Township users would expect to see an increase of \$3/mo to \$6.19/mo. Please note that the city has a rate study underway, which will provide greater details of any necessary rate adjustments and define how each user class would be impacted. It is expected that the rate setting consultants will complete their work in early 2016. At that time it will likely be prudent to proceed with a first step increase to prepare for the upcoming debt.

**Segment II Total Cost = \$1,235,682 for sewer work and \$5,780,000 for WWTP to total \$7,015,682.**

The Project Plan shows these projects spanning from 2019-2023. So, principal payments would be expected to start in 2024. It is expected that the sewer work could be paid for from normal sewer system budgeted funds but we are projecting the rate increase could go as high as would be \$16.50/mo for city users and \$10.50/mo for Township users. These would be the total rate increases from today, not including any potential cash contributions from the city's tax increment finance districts or disadvantaged benefits. These rates would not be additive to the Segment I increase. So, for example, if Segment I increased by \$10.94/mo per user, then Segment II could take rates up another \$5.56/mo per user to \$16.50/mo. Again, with the completion of the city's rate study and MDEQ confirmation of SRF funds, the city will have a clearer picture of the true impact on utility rates.

At the May 18<sup>th</sup> regular meeting of the Board of Public Utilities (BPU,) the BPU received the project plan presentation from Abonmarche. The BPU reviewed the presentation and ultimately offered a motion of support for the plan adoption. The BPU's recommendation was approved with unanimous support, and included the general support from the South Haven Charter Township and Casco Township Water and Sewer Authority.

Staff recommends the City Council consider approval of the resolution and license agreement as presented.

**Recommendation:**

The City Council will be asked to take the following steps related to the city's wastewater system improvements plan:

1. The City Council should host a public hearing and presentation on the Project Plan.
2. The City Council should consider approval of Resolution 2015-32, a resolution formally adopting the SRF Project Plan and implementation schedule.

Support Material:

Resolution 2015-32  
DRAFT SRF Project Plan (Wastewater System Improvement Plan Presentation)  
May 18, 2015 BPU Meeting Minutes

**RESOLUTION 2015-32**  
**A RESOLUTION ADOPTING A FINAL PROJECT PLAN**  
**FOR WASTEWATER SYSTEM IMPROVEMENTS or**  
**NPS POLLUTION CONTROL/STORMWATER IMPROVEMENTS AND**  
**DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

**WHEREAS**, the City of South Haven (*legal name of applicant*) recognizes the need to make improvements to its existing wastewater treatment and collection system or its existing NPS pollution control/stormwater treatment system; and

**WHEREAS**, the City of South Haven (*legal name of applicant*) authorized Abonmarche Consultants, Inc. (*name of consulting engineering firm*) to prepare a Project Plan, which recommends the construction of: replacement and rehabilitation of leaking or structurally inadequate sanitary sewers and manholes, consolidation and upgrades to wastewater pump stations, installation of new force main, and wastewater treatment plant improvements.; and

**WHEREAS**, said Project Plan was presented at a Public Hearing held on June 15, 2015 and all public comments have been considered and addressed;

**NOW THEREFORE BE IT RESOLVED**, that the City of South Haven (*legal name of applicant*) formally adopts said Project Plan and agrees to implement the selected alternative outlined in the plan.

**BE IT FURTHER RESOLVED**, that the City Manager (*title of the designee's position*), a position currently held by Brian Dissette (*name of the designee*), is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Yeas:

Nays:

Abstain:

Absent:

I certify that the above Resolution was adopted by City Council (*the governing body of the applicant*) on June 15, 2015.

BY:

\_\_\_\_\_  
Name and Title (*please print or type*)

\_\_\_\_\_



Engineering  
Architecture  
Land Surveying  
Marina/Waterfront  
Community Planning  
Landscape Architecture  
Development Services

# South Haven SRF Project Plan – Public Hearing

June 15, 2015

# Agenda

- Introduction
- Study Methodology
- Recommendations
- Principal Alternatives Considered
- Construction Schedule
- Project Estimated Costs
  - Sources & Uses
- User Fee Impacts
- Project Environmental Impacts



# Introduction: Background

- Project Purpose
  - S2 Grant Program intended to accelerate the progress of water pollution control efforts and to facilitate system improvements through utilization of the State Revolving Fund Loan Program
- Project Scope
  - Identify opportunities to reduce or eliminate excessive wet weather Inflow and Infiltration (I/I) from the wastewater collection system
  - Identify “Critical Priority” structural defects warranting corrective action
  - Develop an SRF Project Plan to address these issues.



### Slide 3

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**DAD1**

Not happy with logical order of this slide. Want to introduce SRF Project Goals.

Dan Dombos, 12/8/2014

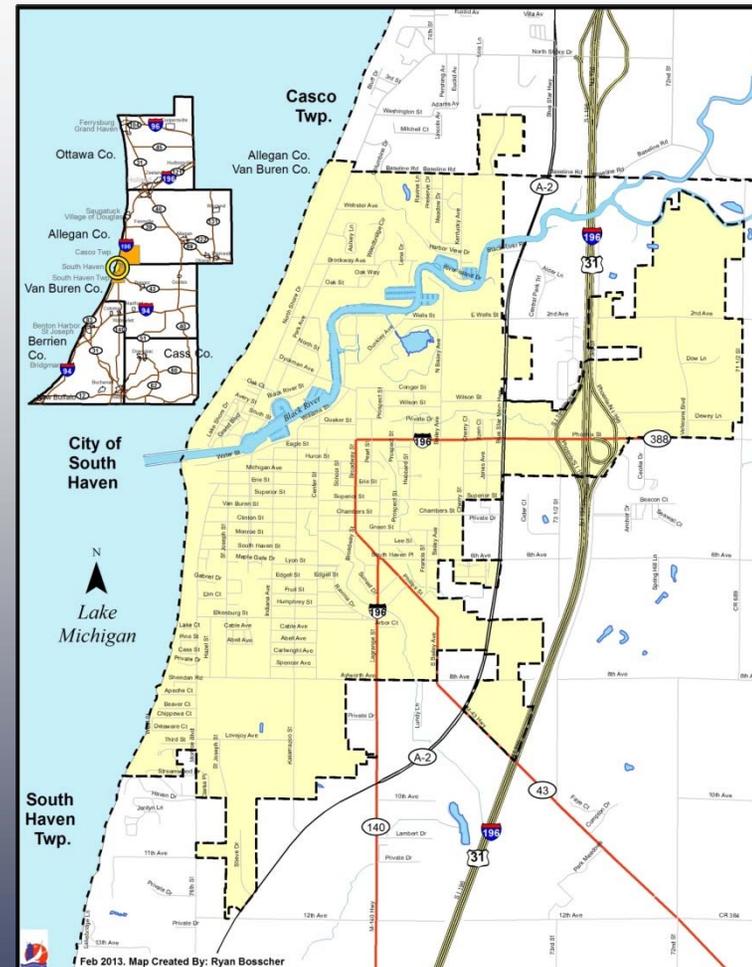
# Introduction: S2 Project Tasks

- Study Area Characteristics
- Utility Mapping
- Field Investigation and Data Review
- Smoke Testing
- Flow Metering and Computer Modeling
- Sewer Televising
- Dye Testing and Sewer Service Investigation
- **SRF Project Plan**



# Methodology: Study Area Characteristics

- Study Area
  - City of South Haven
- Land Use
- Population Trends
- Natural Features
- Basis for Evaluating Environmental Impacts



# Methodology: Mapping

- Collection System Mapping
  - Updated existing wastewater collection system map
  - Pipe size, slope, and material used to develop a hydraulic model of the wastewater collection system.
- Sources
  - 1988 Sanitary Sewer Map
  - Design/Record Drawings (1988-Current)
  - Field Investigation
  - Pipe Size and Material



# Methodology: Smoke Testing

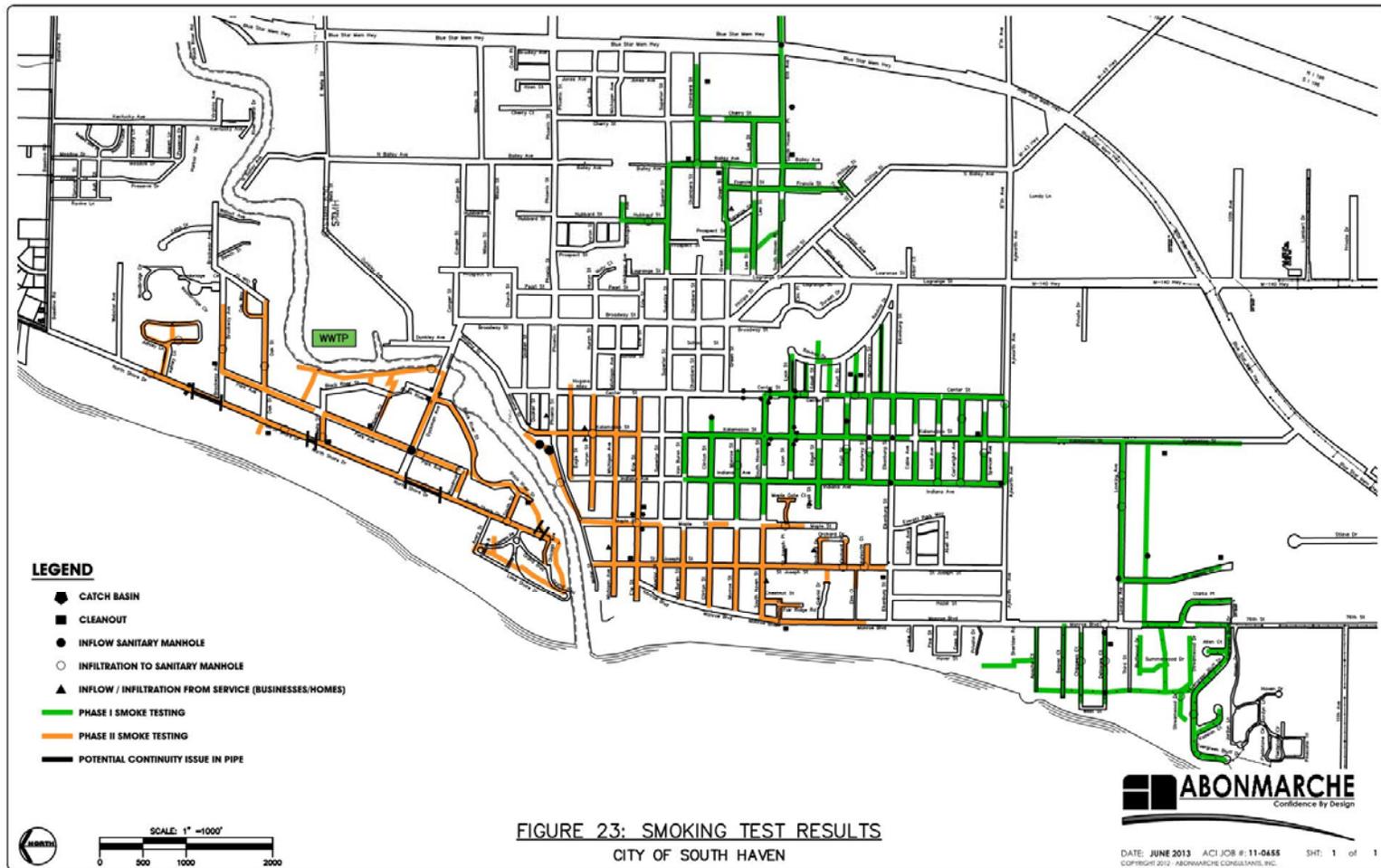
- Identifying Sources of Inflow/Infiltration
  - Sanitary Manhole Defects
    - Inflow Defects: Direct Physical Connection
    - Infiltration: Seepage Below Grade
  - Missing Cleanout Caps
    - Specific Addresses and Locations are Addressed
  - Continuity Issues
    - Noted Areas where Smoke was unable to move between adjacent structures



# Methodology: Smoke Testing Results



# Methodology: Smoke Testing Map

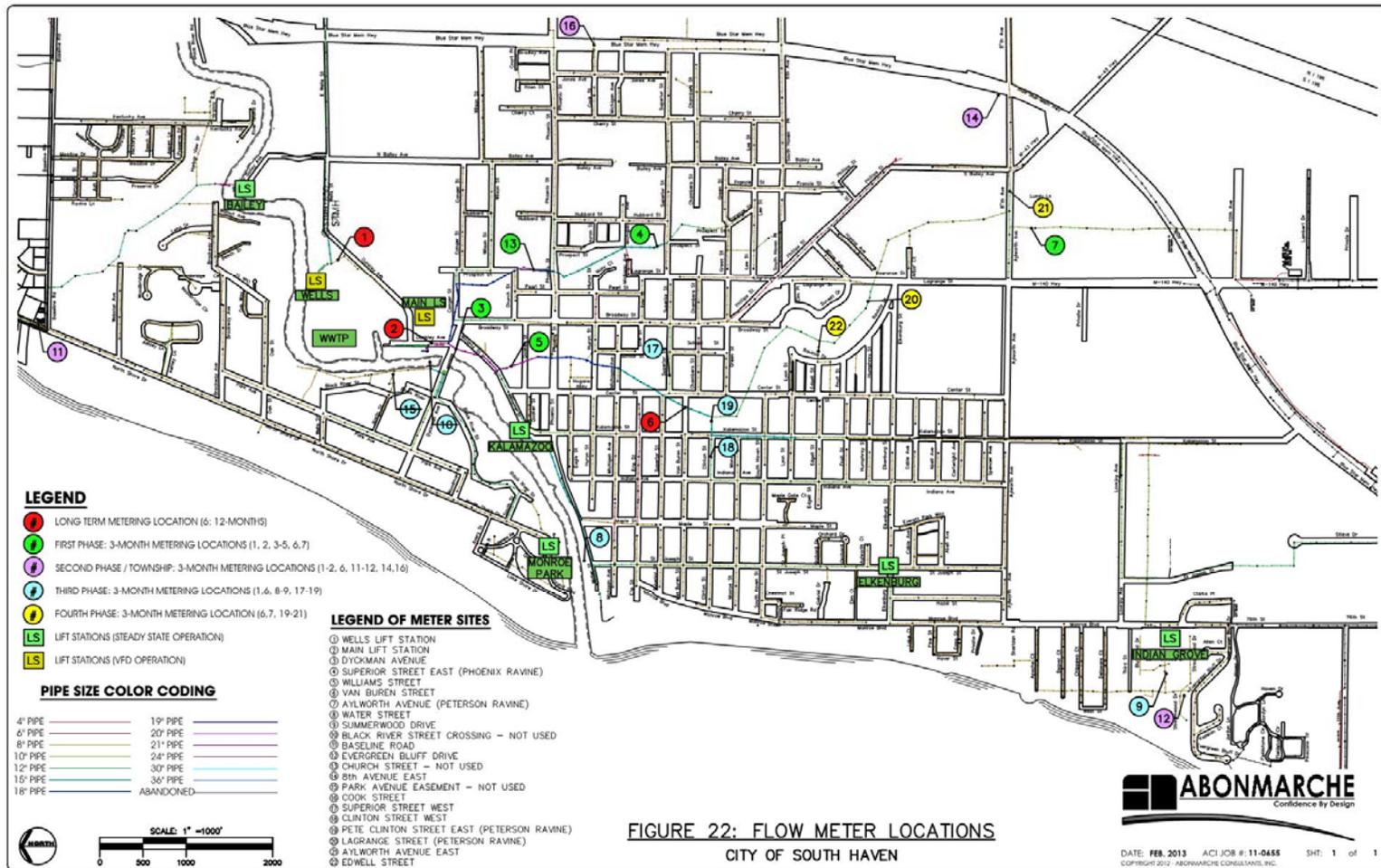


# Methodology : Flow Metering

- Isolate and Quantify Flows
  - Dry Weather vs. Wet Weather Flows
    - Peaking Factor:  $\text{Wet Weather Flow} / \text{Dry Weather Flow}$
    - High Peaking Factor: indicates defects and illicit flows
  - Assess System Capacity
  - Basis for Predictive Modeling 25-Year/24-Hour
- Location of Defects
  - Target Areas for Further Inspection



# Methodology: Flow Metering Map



# Methodology: Predicted Flow from Computer Model

Table 18 – 25-Year, 24-Hour Existing Flow Projections

Meter	Predicted 25-Year, 24-Hour Peak Flow (gpm)	Existing Capacity (gpm)
Wells Lift Station <sup>2</sup>	1,646	2,100
Site 1 - Wells Lift Station	1,646	3,871
Main Lift Station <sup>1 2</sup>	6,054	4,200
Site 2 - Main Lift Station <sup>1</sup>	6,054	3,712
Site 3 – Dyckman Avenue	4,731	7,453
Site 6 - Van Buren Street <sup>1</sup>	2,780	2,051
Site 7 – Aylworth Avenue	419	825
Site 19 – Clinton Street East	1,625	4,603
Site 20 – Lagrange Street - Peterson	1,070	752
Site 21 – Aylworth Avenue East	471	825

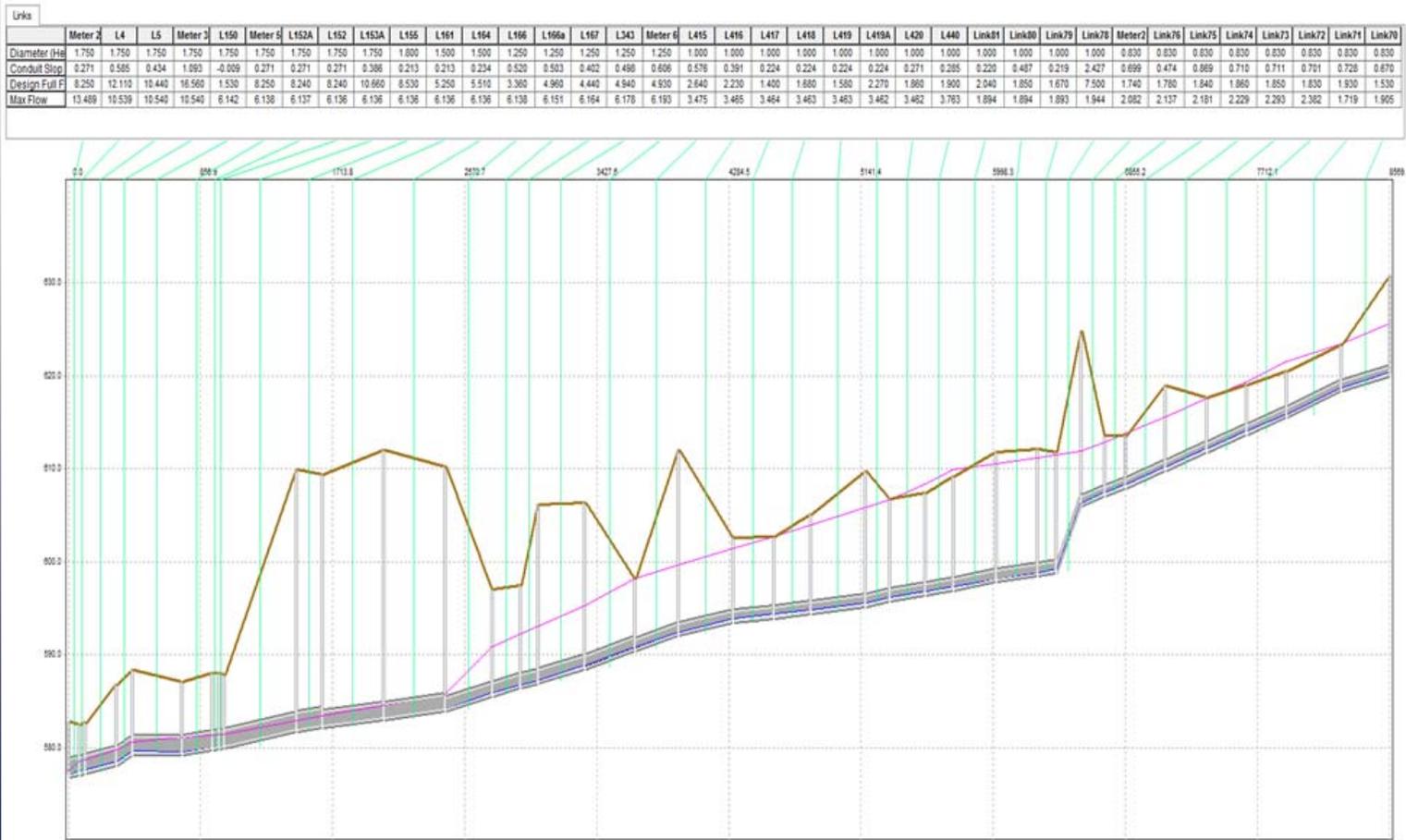
<sup>1</sup> – Red Shading indicates predicted capacity shortfall during 25-year/24-hour event.

<sup>2</sup> – Lift Station capacity reported as firm capacity available with largest pump out of service.

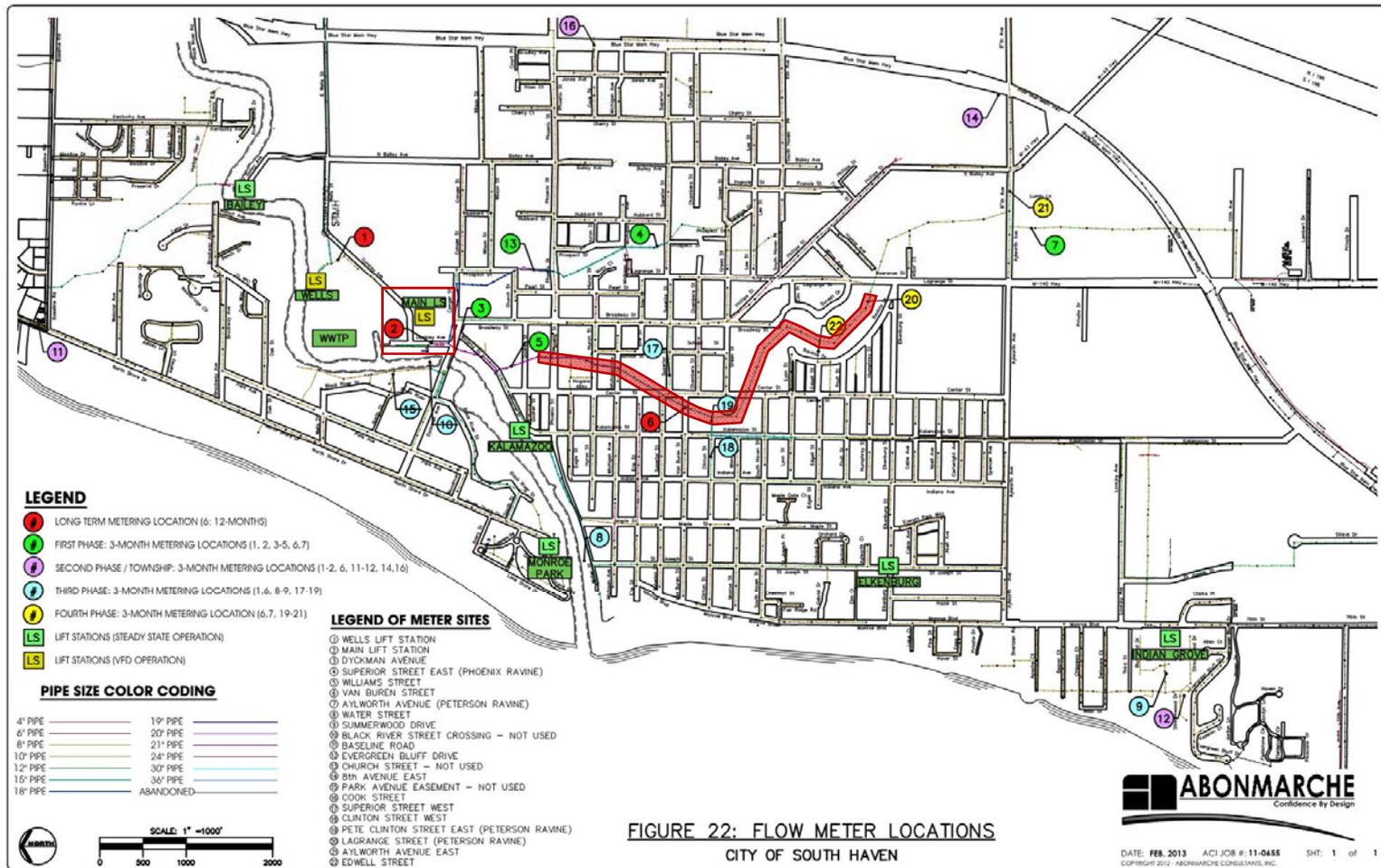


# Methodology: Predicted Flow

## Peterson Ravine Sewer – Site 6



# Methodology: Capacity Issues

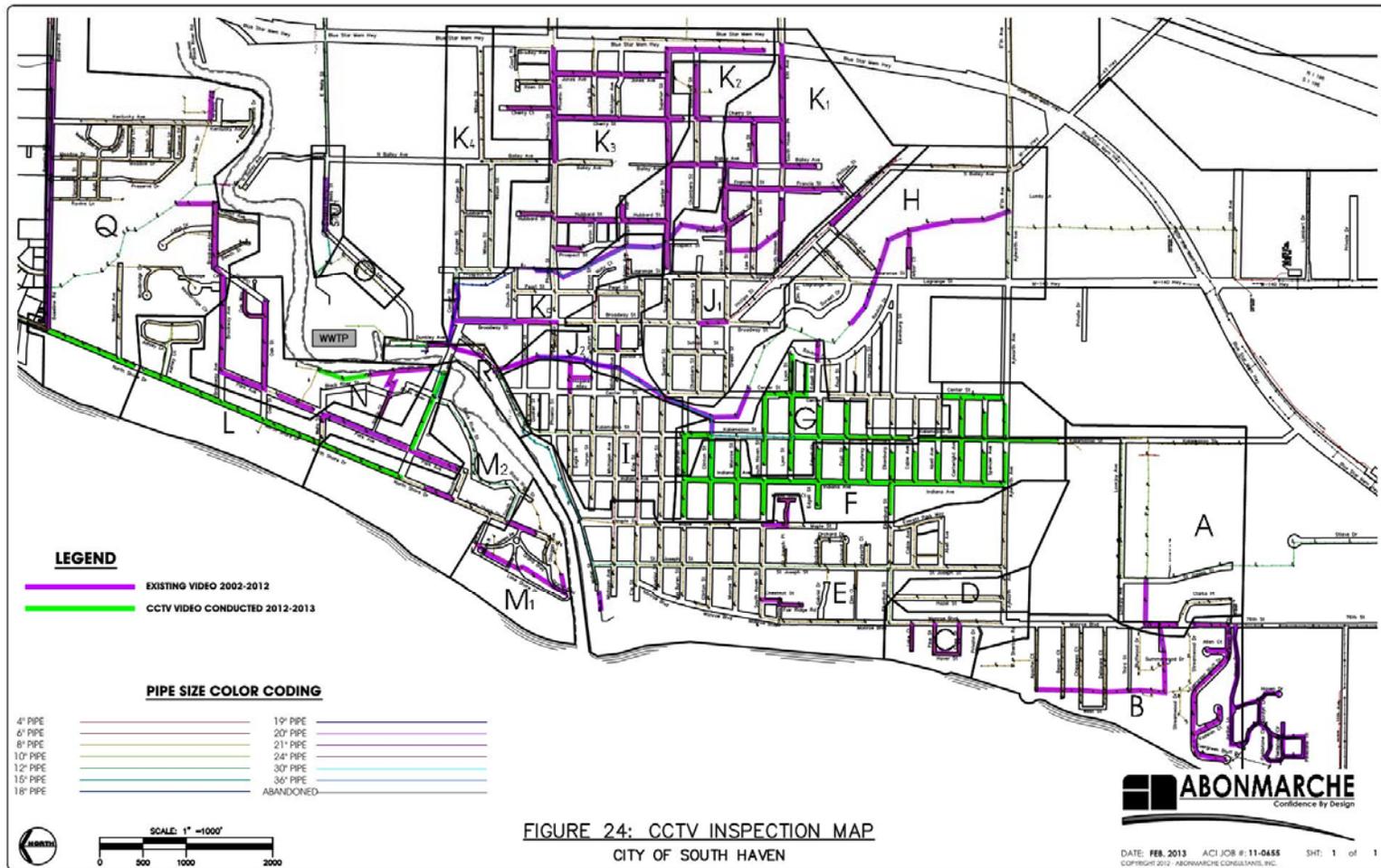


# Methodology: CCTV Investigation

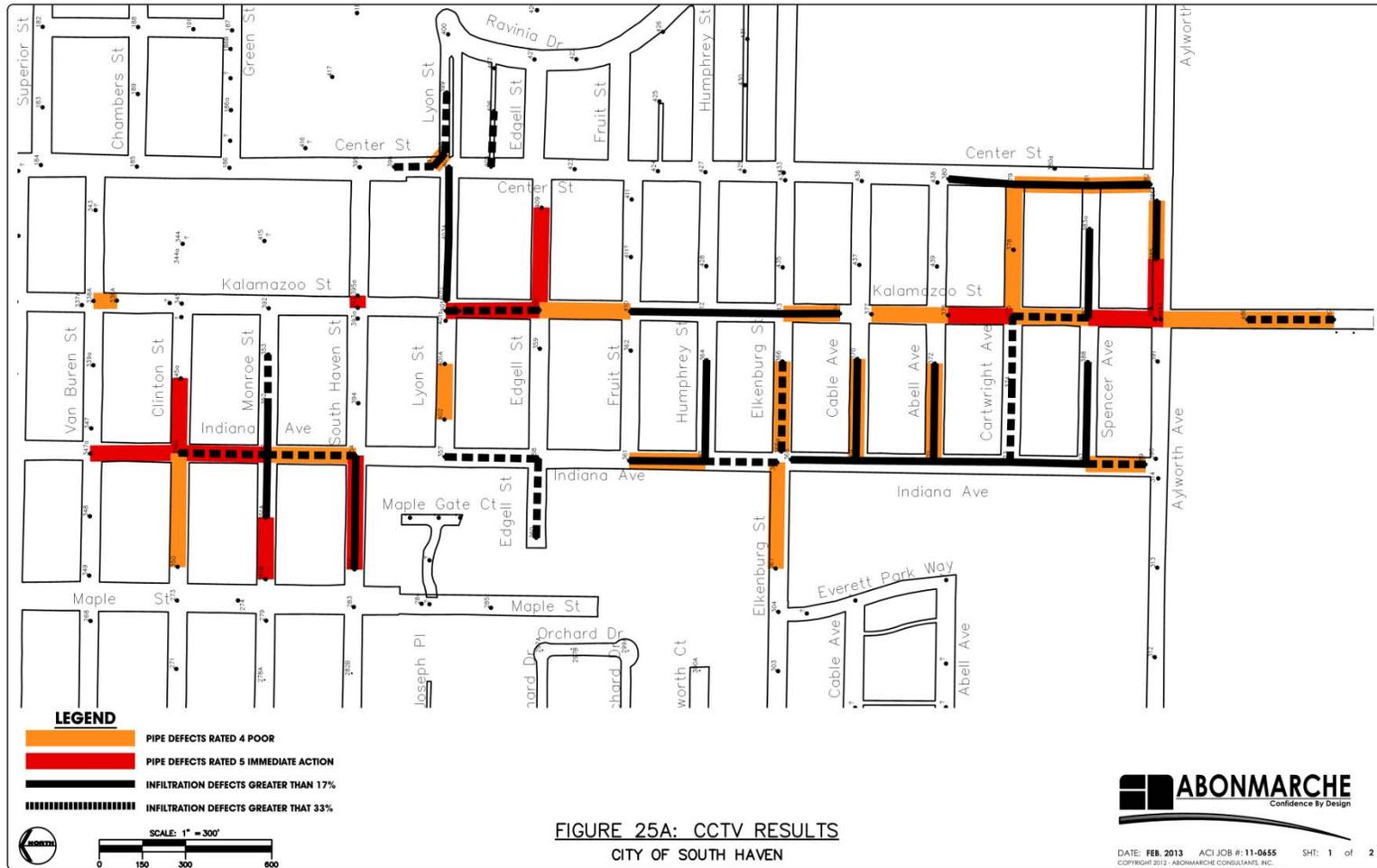
- Basis of Assessment
  - North American Sewer Services Companies (NASSCO) Pipeline Assessment Certification Program (PACP)
- Identification of Defects
  - Inflow/Infiltration analysis of defects, development of corrective action plan, and prediction of removal efficiency
  - “Critical Priority” structural defects must meet grade 4 or 5 to qualify for participation



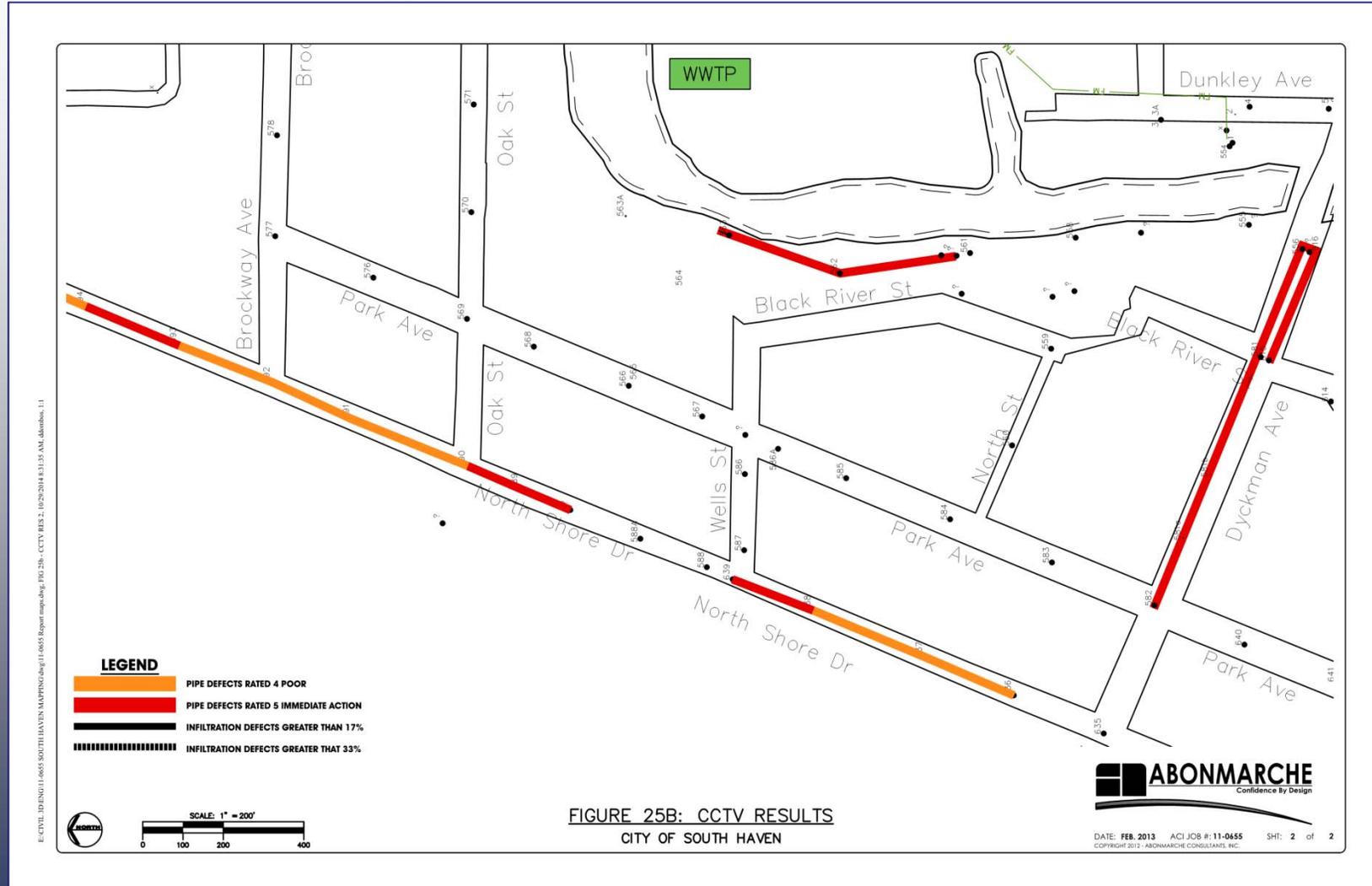
# Methodology: Sewer Televising Map



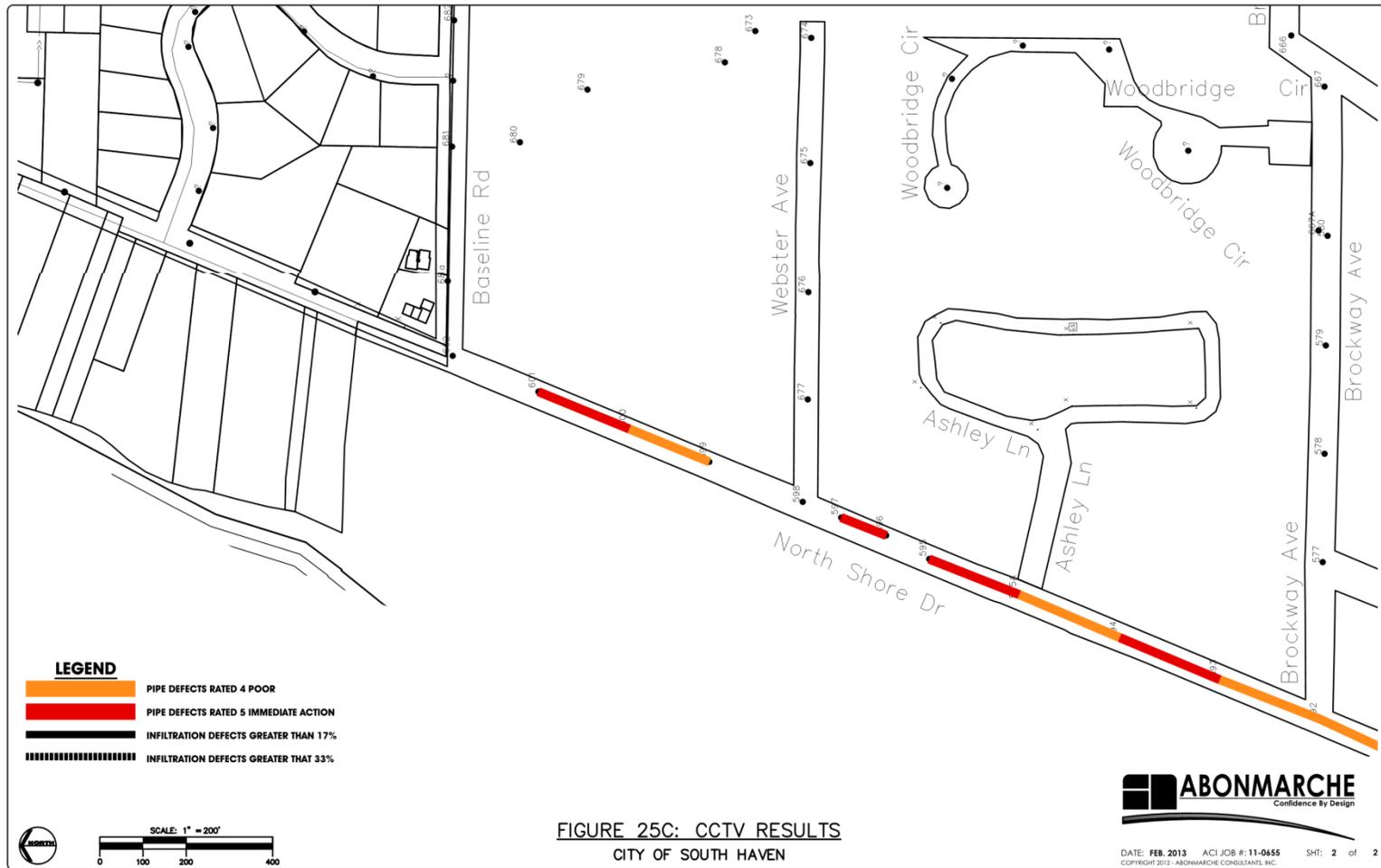
# Methodology: CCTV Results



# Methodology: CCTV Results



# Methodology: CCTV Results



# Methodology: WWTP Evaluation

- Influent and Primary Treatment
  - Main & Wells Lift Stations
    - Capacity, Structural, and Equipment Issues
  - Raw Wastewater Screening
    - Damaged and Ineffective
    - Operational Issues
  - Influent Metering
    - Inaccurate at High Flows



# Methodology: WWTP Evaluation

- Secondary Treatment
  - Biological Treatment
    - Capacity and Aeration Issues
  - Settling Tanks
    - Inadequate Capacity and Sludge Collection
  - Chemical Feed
    - Replace Equipment & Remove Retired Equipment
  - Solids Handling
    - Inadequate Capacity and Storage
    - Non-compliant with 10 State Standards

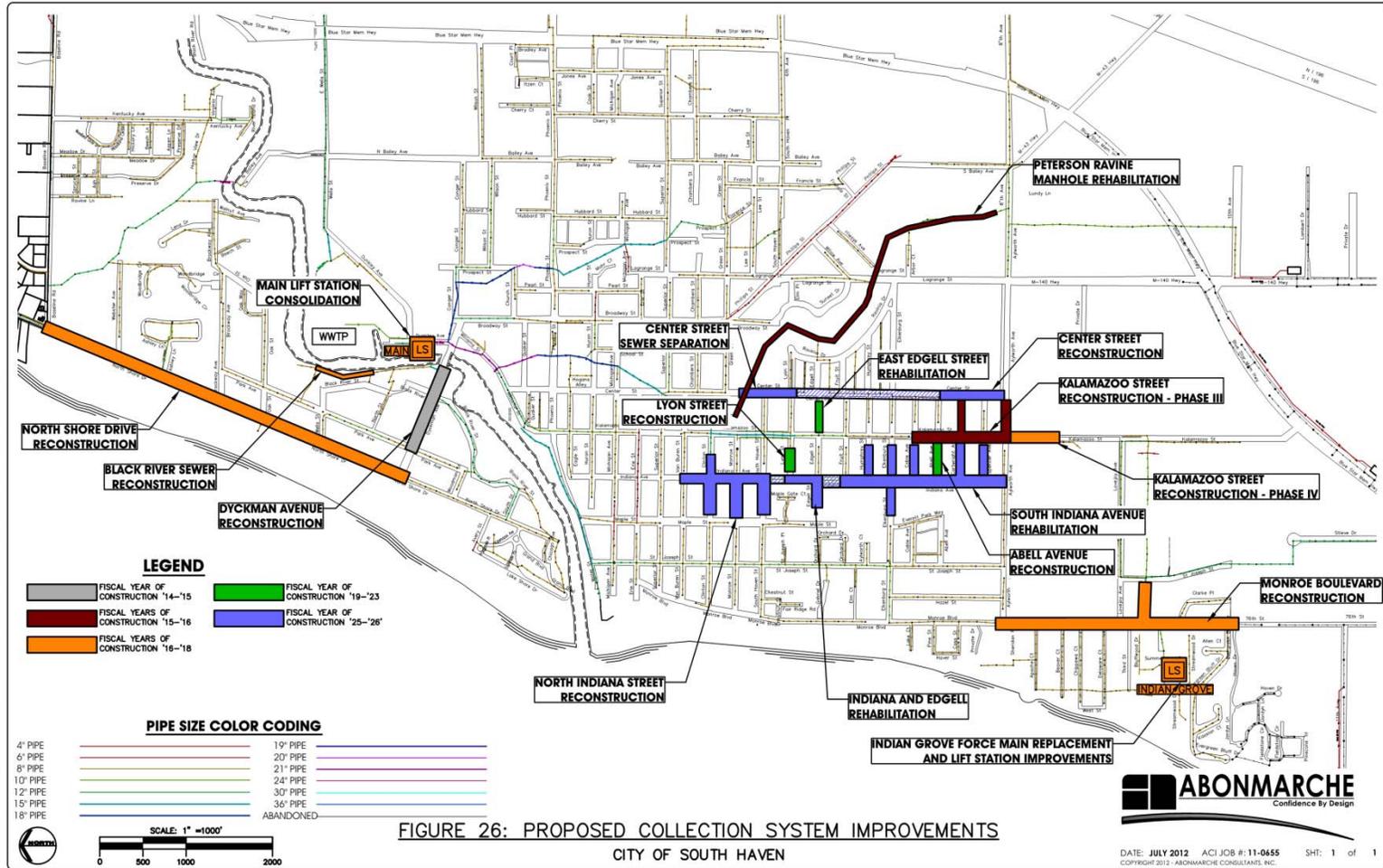


# Methodology: WWTP Evaluation

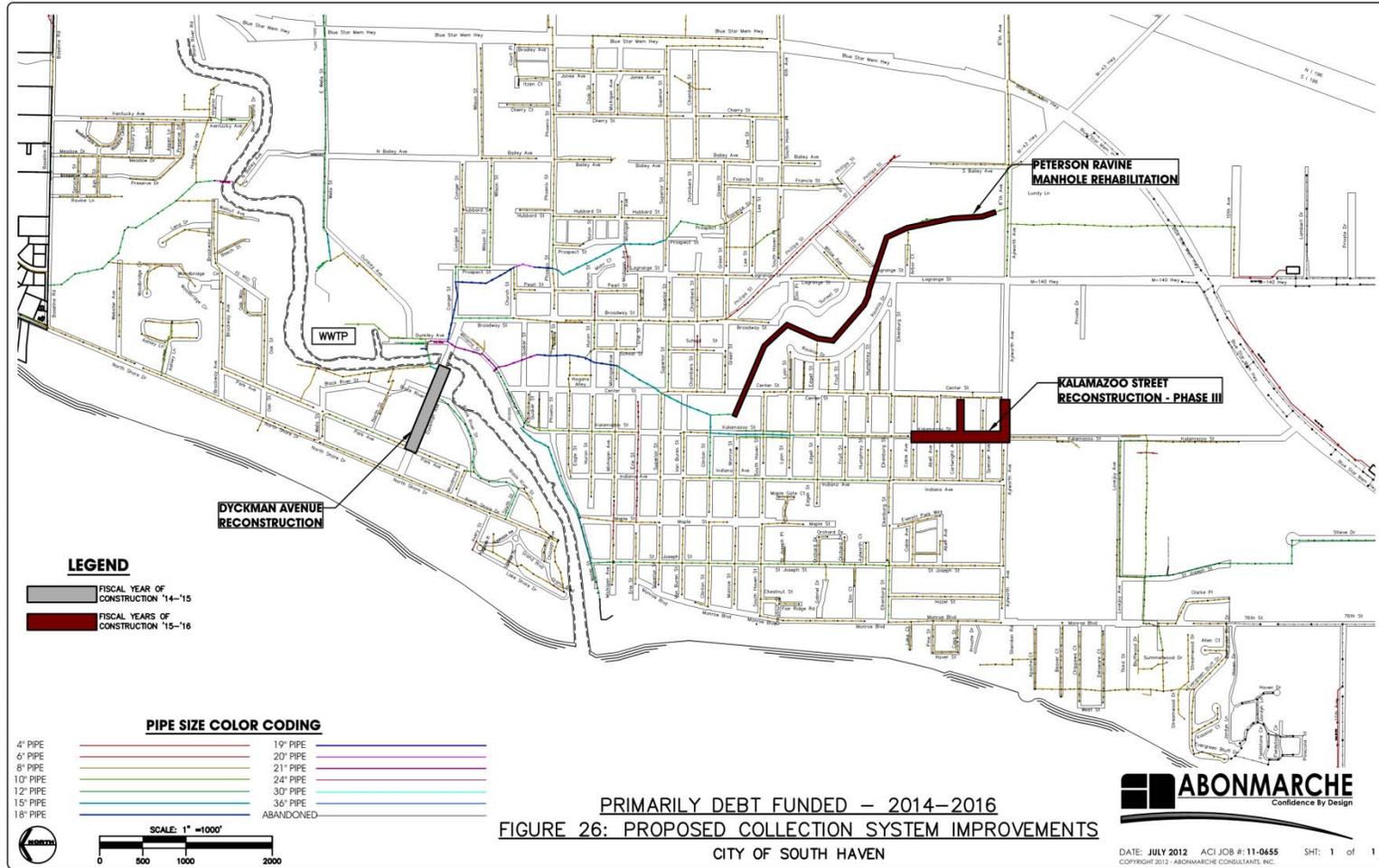
- Tertiary Treatment
  - Disinfection
    - Replace Gaseous Chlorine System with Liquid
- Facilities
  - Electrical
    - Replace Motor Control Center (MCC)
    - SCADA System Replacement
  - Structural and Building Needs
    - Building Structure – Headworks
    - Climate Control and Roof – Laboratory
    - Equipment Storage – Maintenance Building



# Project Plan: Recommended Improvements



# Project Plan: Phase 1 Projects

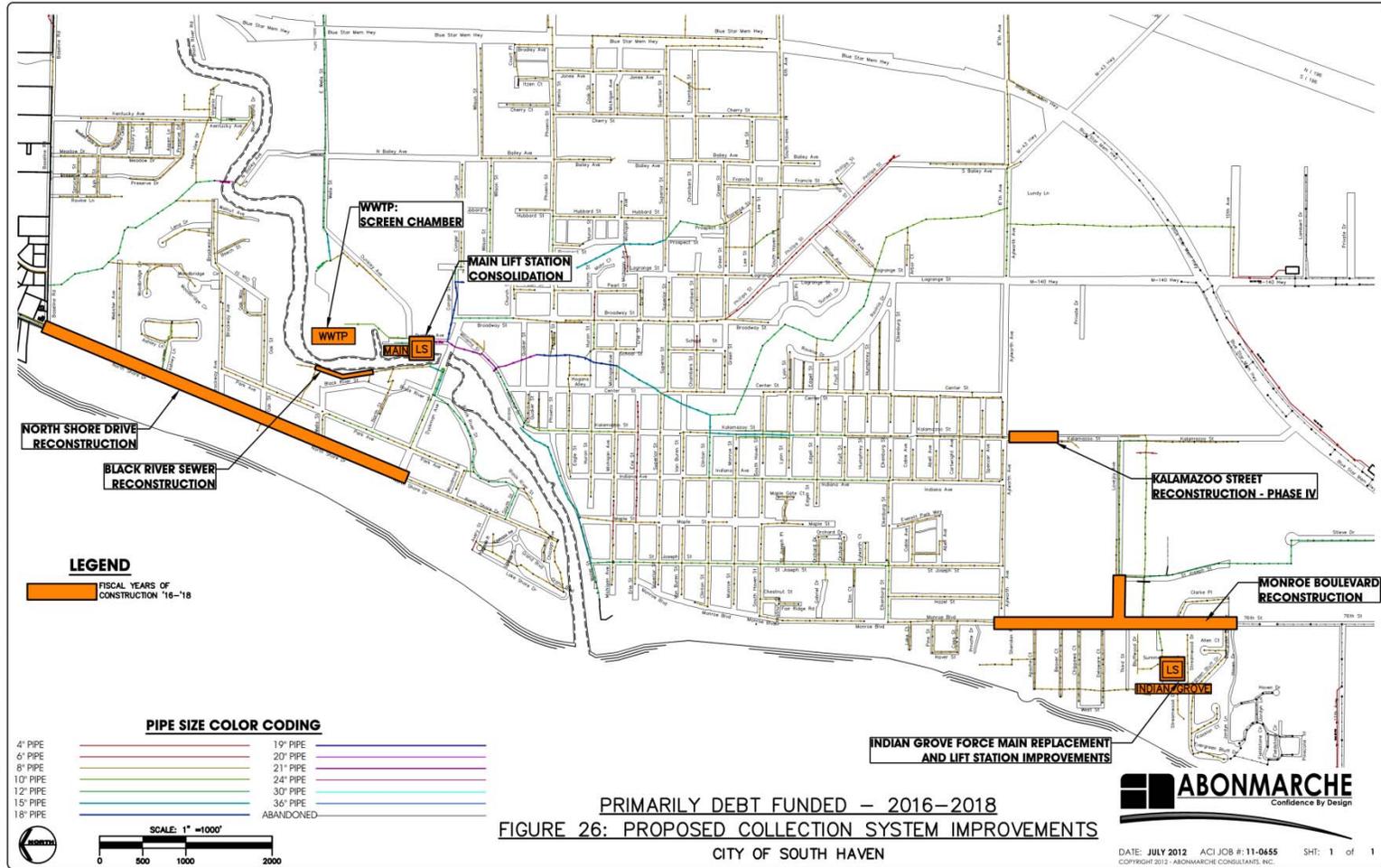


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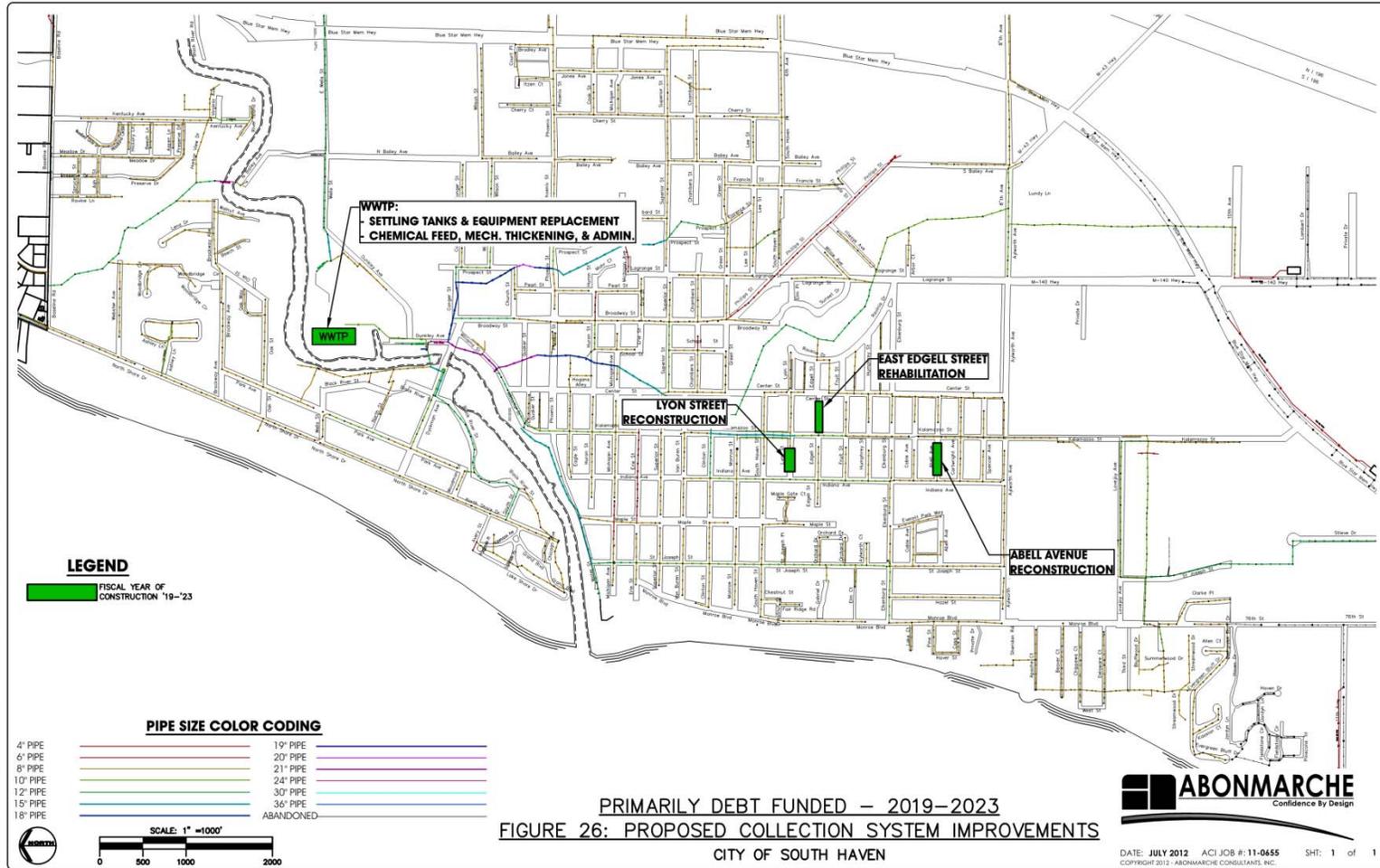
PRIMARILY DEBT FUNDED -- 2014-2016  
**FIGURE 26: PROPOSED COLLECTION SYSTEM IMPROVEMENTS**  
 CITY OF SOUTH HAVEN



# Project Plan: Phase 2 Projects



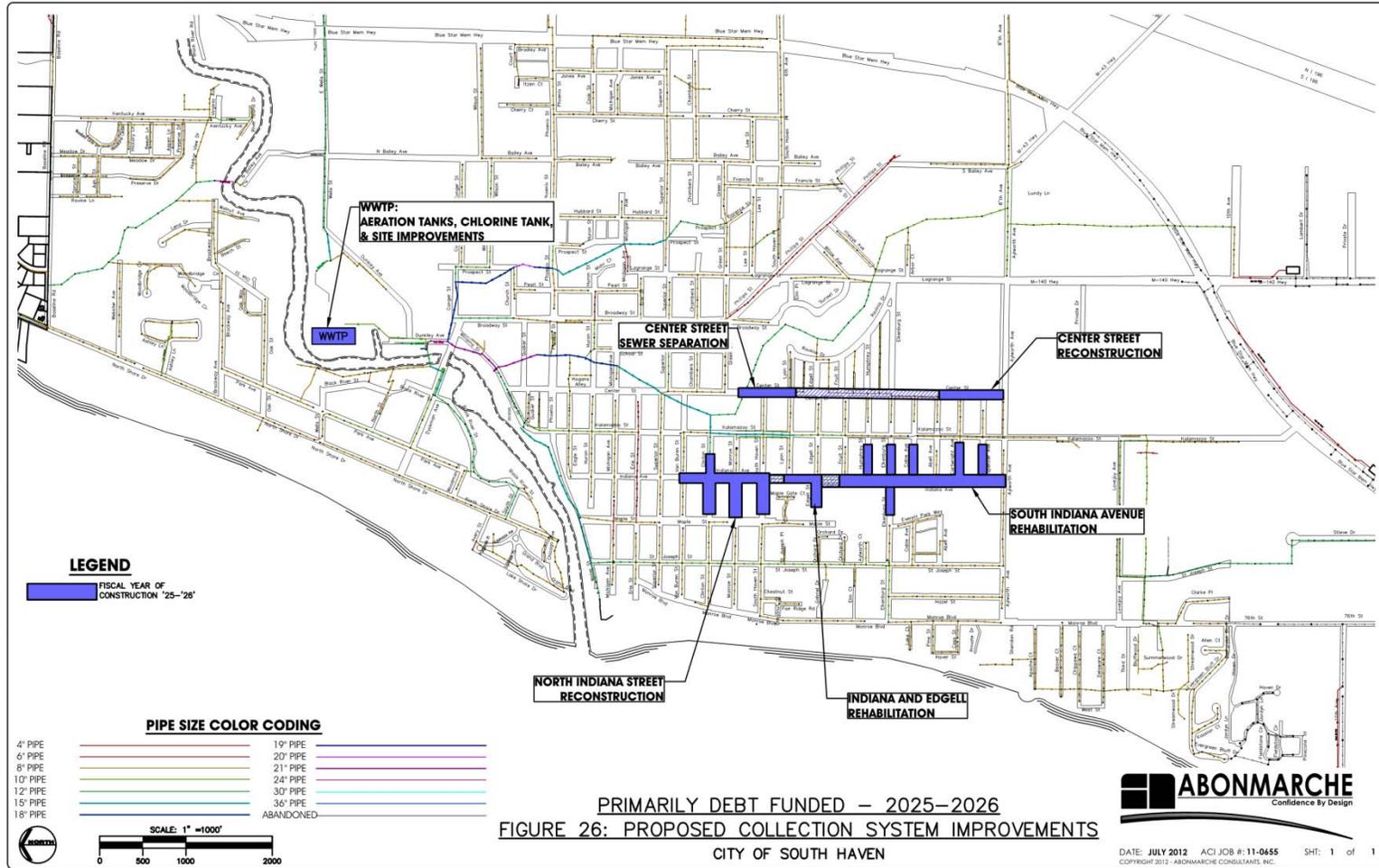
# Project Plan: Phase 3 Projects



PRIMARYLY DEBT FUNDED – 2019–2023  
 FIGURE 26: PROPOSED COLLECTION SYSTEM IMPROVEMENTS  
 CITY OF SOUTH HAVEN



# Project Plan: Phase 4 Projects



# Project Plan: Project Schedule

## South Haven Sewer System Improvement Projects - Project Schedule for Construction

Project Area	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
Dyckman Avenue Reconstruction	X											
Peterson Ravine Manhole Rehabilitation		X										
Kalamazoo Street Phase III & Cartwright Avenue		X										
Kalamazoo Street Reconstruction - Phase IV			X									
Monroe Blvd Reconstruction Project			X	X								
Indian Grove Force Main Replacement			X	X								
Indian Grove Building and Controls			X	X								
Option A: Main Pump Station Consolidation			X	X								
WWTP Screen Chamber			X	X								
Black River Street Reconstruction			X	X								
North Shore Drive Reconstruction			X	X								
Abell Avenue Reconstruction						X						
Edgell Rehabilitation (East)							X					
Lyon Street Reconstruction								X				
WWTP Settling Tanks & Equipment Replacement									X			
WWTP Chemical Feed, Mech. Thickening, & Admin.									X			
Indiana Avenue Reconstruction (North)												X
Indiana Ave. Rehabilitation (South)												X
Indiana and Edgell Rehabilitation												X
Center Street Reconstruction												X
Center Street Sewer Separation												X
WWTP Aeration Tanks, Chlorine Tank, & Site Improvements												X



# Project Plan: Estimated Costs

## South Haven Sewer System Improvement Projects

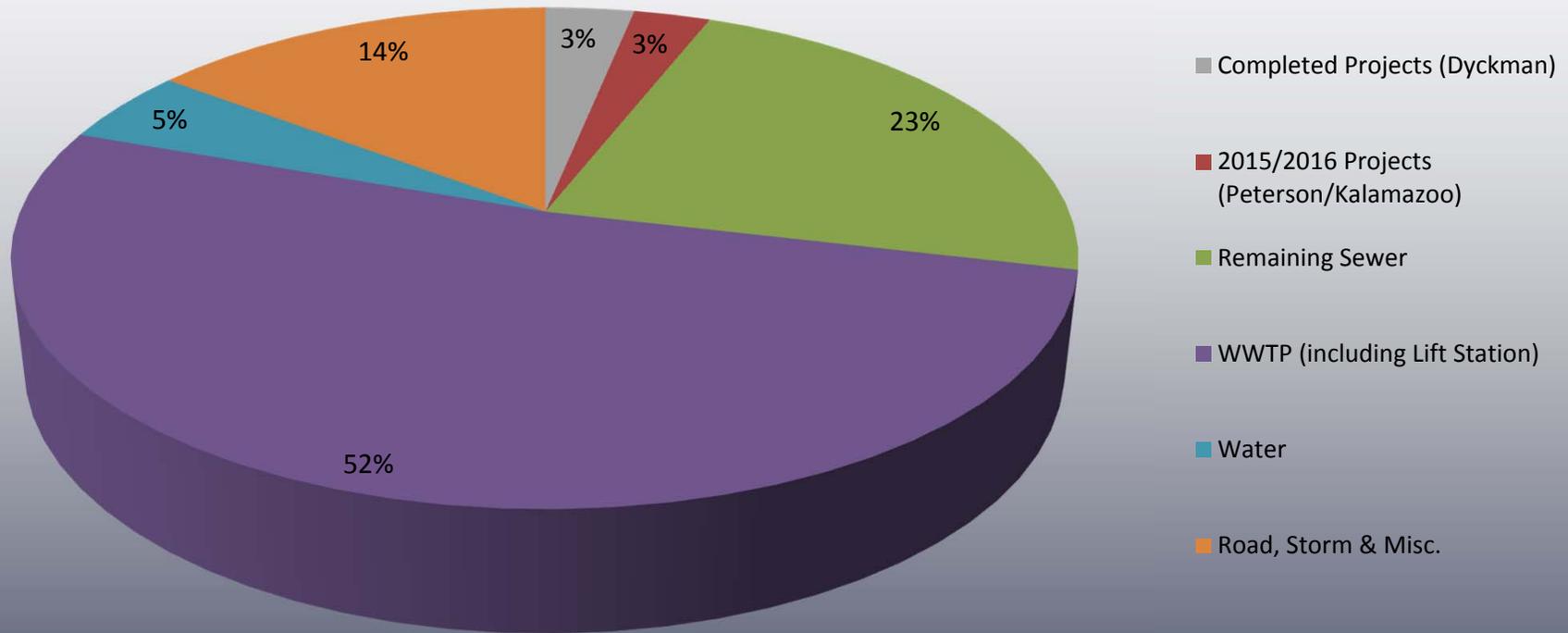
Project Area	Construction Cost Estimate	Engineering		SRF Project Cost Estimate	City Funded Work	Total Project Cost Estimate
		Design Cost Estimate	Construction Cost Estimate			
Dyckman Avenue Reconstruction	\$ 556,059	\$ 33,364	\$ 55,606	\$ 645,028	\$ 350,000	\$ 995,028
Peterson Ravine Manhole Rehabilitation	\$ 61,711	\$ 6,171	\$ 6,171	\$ 74,054	\$ -	\$ 74,054
Kalamazoo Street Phase III & Cartwright Avenue	\$ 674,755	\$ 40,485	\$ 67,475	\$ 782,716	\$ -	\$ 782,716
Kalamazoo Street Reconstruction - Phase IV	\$ 480,647	\$ 28,839	\$ 48,065	\$ 557,551	\$ -	\$ 557,551
Monroe Blvd Reconstruction Project	\$ -	\$ -	\$ -	\$ -	\$ 2,485,212	\$ 2,485,212
Indian Grove Building and Controls	\$ 355,527	\$ 42,663	\$ 35,553	\$ 433,743	\$ -	\$ 433,743
Indian Grove Force Main Replacement	\$ 240,148	\$ 24,015	\$ 24,015	\$ 288,177	\$ -	\$ 288,177
Option A: Main Pump Station Consolidation	\$ 4,212,353	\$ 421,235	\$ 421,235	\$ 5,054,824	\$ -	\$ 5,054,824
WWTP Screen Chamber	\$ 800,000	\$ -	\$ -	\$ 800,000	\$ -	\$ 800,000
Black River Street Reconstruction	\$ 312,610	\$ 31,261	\$ 31,261	\$ 375,132	\$ -	\$ 375,132
North Shore Drive Reconstruction	\$ 2,175,731	\$ 130,544	\$ 217,573	\$ 2,523,848	\$ 1,254,160	\$ 3,778,008
Abell Avenue Reconstruction	\$ 239,152	\$ 14,349	\$ 23,915	\$ 277,416	\$ 146,377	\$ 423,793
Edgell Rehabilitation (East)	\$ 58,848	\$ 8,827	\$ 8,827	\$ 76,502	\$ 354,798	\$ 431,300
Lyon Street Reconstruction	\$ 113,149	\$ 6,789	\$ 11,315	\$ 131,253	\$ 279,181	\$ 410,434
WWTP Settling Tanks & Equipment Replacement	\$ 2,490,000	\$ -	\$ -	\$ 2,490,000	\$ -	\$ 2,490,000
WWTP Chemical Feed, Mech. Thickening, & Admin. Building	\$ 3,290,000	\$ -	\$ -	\$ 3,290,000	\$ -	\$ 3,290,000
Indiana Avenue Reconstruction (North)	\$ 1,230,215	\$ 73,813	\$ 123,021	\$ 1,427,049	\$ 957,610	\$ 2,384,659
Indiana Ave. Rehabilitation (South)	\$ 422,606	\$ 22,049	\$ 36,748	\$ 481,403	\$ -	\$ 481,403
Indiana and Edgell Rehabilitation	\$ 104,817	\$ 10,482	\$ 10,482	\$ 125,780	\$ -	\$ 125,780
Center Street Reconstruction	\$ 291,733	\$ 17,504	\$ 29,173	\$ 338,411	\$ 234,676	\$ 573,087
Center Street Sewer Separation	\$ 370,172	\$ 22,210	\$ 37,017	\$ 429,399	\$ 332,007	\$ 761,406
WWTP Aeration Tanks, Chlorine Tank, & Site Improvements	\$ 3,963,000	\$ -	\$ -	\$ 3,963,000	\$ -	\$ 3,963,000
<b>Total: South Haven Sewer System Improvement Projects</b>	<b>\$ 22,443,232</b>	<b>\$ 934,600</b>	<b>\$ 1,187,453</b>	<b>\$ 24,565,286</b>	<b>\$ 6,394,021</b>	<b>\$ 30,959,307</b>



# Project Plan: Uses



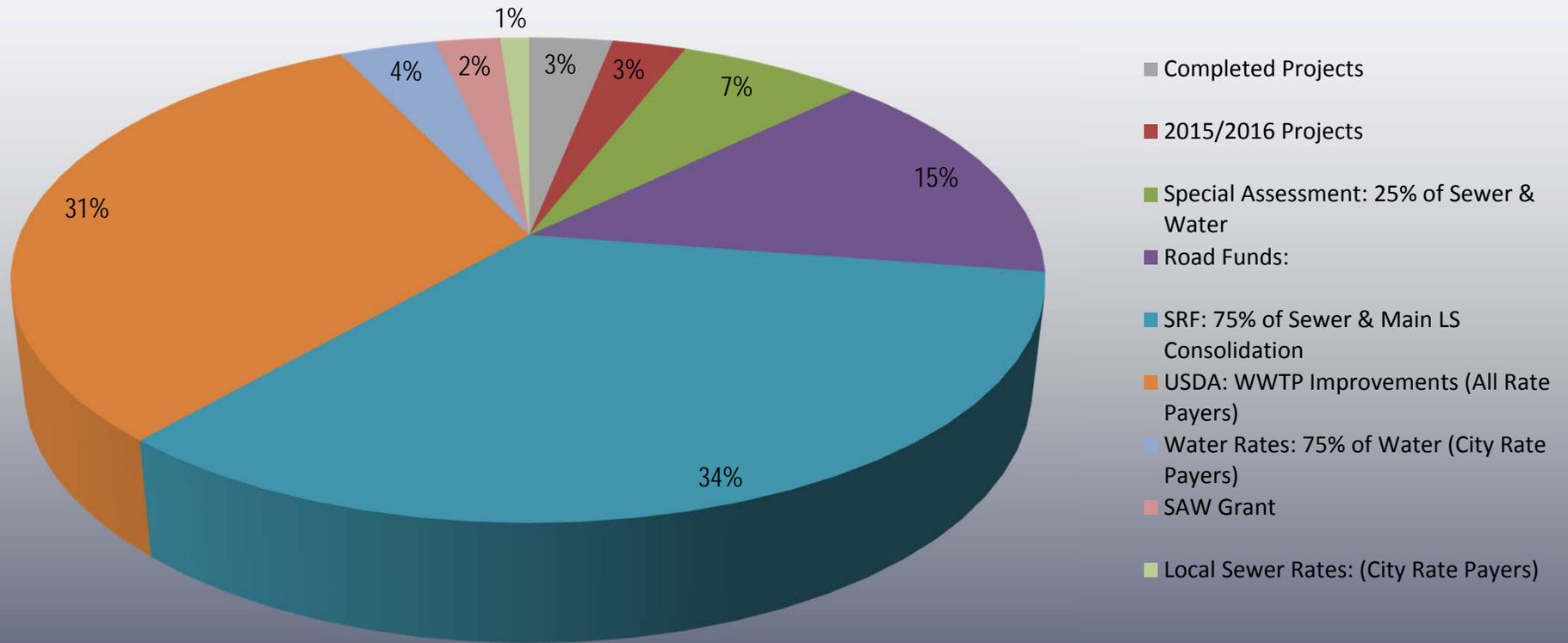
# Project Plan: Uses



# Project Plan: Sources



# Project Plan: Sources



# Rate Impacts: Segment No. 1



City Users = \$10.94/mo

Township Users = \$6.19/mo

The rate impacts defined above are a conservative, rough average on a per user basis for the projects defined in the Project Plan. We have engaged a rate consultant to provide a more detailed analysis of potential rate adjustments based upon existing debt expiration dates, system growth, operation and maintenance costs, additional capital needs, additional funding sources, etc. Their preliminary review concurs with the rate impacts shown in our analysis.



# Rate Impacts: Segment No. 1

For example, if LDFA/DDA are able to commit a combined \$100,000/year for 20 years, the rate impacts would be lessened for all users to:

City Users = \$9.30/mo

Township Users = \$4.55/mo

Additionally, if the City were to receive Disadvantaged Status the SRF loan term could be extended to 30 years, further reducing the impact on user costs to:

City Users = \$6.50/mo

Township Users = \$3.00/mo



# Rate Impacts: Summary of Overall

## City Rate Payers: (Sewer)

\$4,559,652

- Monroe Boulevard
- North Shore Drive
- Black River Street
- Kalamazoo Street Phase IV
- Abell Street, Edgell Street, Lyon Street
- Indiana Avenue
- Center Street

2,903 city user accounts  
Sewer Rates \$6/mo

## All Rate Payers (WWTP & Lift Stations)

\$16,031,566

- Indian Grove Lift Station and Force Main
- Main Lift Station Consolidation
- Wastewater Treatment Plant Improvements

5068 city and township user accounts  
\$10.50/month



# Project Environmental Impacts

Category	No Impact	Benefits		Adverse Impact		Mitigate
		Direct	Indirect	Long term	Short term	
Historical/ Archeological	●					
Geological	●					
Cultural/Social		● Cleaner water			● Const. activity	Emissions, Dust & Noise Control
Recreational		●				
Water Quality/ Surface Water		●				
Air Quality					● Const. activity	Emissions, Dust & Noise Control
Wetlands, Coastal Zones/Floodplains		● Reduce Pollution Potential			● Const. activity	



# Project Environmental Impacts

Category	No Impact	Benefits		Adverse Impact		Mitigate
		Direct	Indirect	Long term	Short term	
Natural/Wild & Scenic Rivers	●					
Endangered Species	●					Schedule of Removals
Prime & Unique Agricultural Land	●					
Construction Material/Energy Consumption				● Major		Efficient, cost effective design & construction
Accidents					● Const. Activity	Proper signage, traffic control, dust and noise control
Land Use		● Free up capacity for future growth				

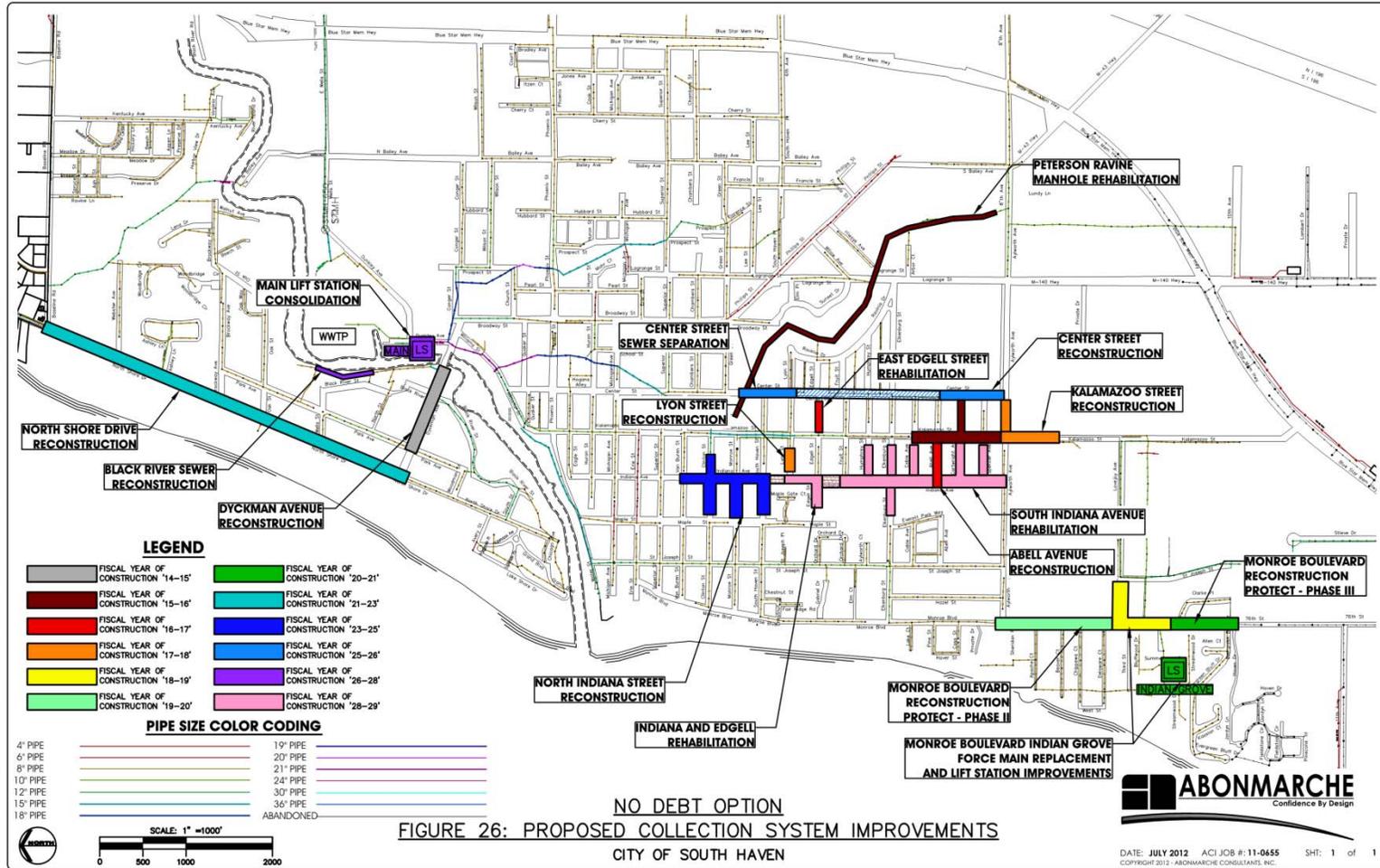


# Public Comment

- Comments and Questions



# Project Map



# Estimated Project Costs

## South Haven Sewer System Improvement Projects

Project Area	Fiscal Year(s)		Construction Cost Estimate	Engineering		SRF Project Cost Estimate	City Funded Work	Total Project Cost Estimate	Total Phase Cost Estimate
	Design	Construction		Design Cost Estimate	Construction Cost Estimate				
Dyckman Avenue Reconstruction	'14-'15	'14-'15	\$ 556,059	\$ 33,364	\$ 55,606	\$ 645,028	\$ 350,000	\$ 995,028	\$ 995,028
Peterson Ravine Manhole Rehabilitation	'15-'16	'15-'16	\$ 61,711	\$ 6,171	\$ 6,171	\$ 74,054	\$ -	\$ 74,054	
Kalamazoo Street Phase III & Cartwright Avenue	'14-'15, '15-'16	'15-'16	\$ 674,755	\$ 40,485	\$ 67,475	\$ 782,716	\$ -	\$ 782,716	\$ 856,769
Abell Avenue Reconstruction	'14-'15, '15-'16	'16-'17	\$ 239,152	\$ 14,349	\$ 23,915	\$ 277,416	\$ 146,377	\$ 423,793	
Edgell Rehabilitation (East)	'14-'15, '15-'16	'16-'17	\$ 58,848	\$ 8,827	\$ 8,827	\$ 76,502	\$ 354,798	\$ 431,300	\$ 855,093
Kalamazoo Street Reconstruction - Phase IV	'16-'17	'17-'18	\$ 480,647	\$ 28,839	\$ 48,065	\$ 557,551	\$ -	\$ 557,551	
Lyon Street Reconstruction	'14-'15, '15-'16	'17-'18	\$ 113,149	\$ 6,789	\$ 11,315	\$ 131,253	\$ 279,181	\$ 410,434	\$ 967,985
Indian Grove Force Main Replacement (Monroe)	'14-'15, '15-'16	'18-'19	\$ 240,148	\$ 24,015	\$ 24,015	\$ 288,177	\$ 711,823	\$ 1,000,000	\$ 1,000,000
Monroe Blvd - Phase II	'14-'15, '15-'16	'19-'20	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Monroe Blvd - Phase III	'14-'15, '15-'16	'20-'21	\$ -	\$ -	\$ -	\$ -	\$ 773,389	\$ 773,389	
Indian Grove Building and Controls	'14-'15, '15-'16	'20-'21	\$ 355,527	\$ 42,663	\$ 35,553	\$ 433,743	\$ -	\$ 433,743	\$ 1,207,132
North Shore Drive Reconstruction - Phase I									\$ 1,889,004
North Shore Drive Reconstruction - Phase II	'14-'15, '15-'16	'21-'22, '22-'23	\$ 2,175,731	\$ 130,544	\$ 217,573	\$ 2,523,848	\$ 1,254,160	\$ 3,778,008	\$ 1,889,004
Indiana Avenue Reconstruction (North) - Phase I									\$ 1,192,330
Indiana Avenue Reconstruction (North) - Phase II	'14-'15, '15-'16	'23-'24, '24-'25	\$ 1,230,215	\$ 73,813	\$ 123,021	\$ 1,427,049	\$ 957,610	\$ 2,384,659	\$ 1,192,330
Center Street Reconstruction	'14-'15, '15-'16	'25-'26	\$ 291,733	\$ 17,504	\$ 29,173	\$ 338,411	\$ 234,676	\$ 573,087	
Center Street Sewer Separation	'14-'15, '15-'16	'25-'26	\$ 370,172	\$ 22,210	\$ 37,017	\$ 429,399	\$ 332,007	\$ 761,406	\$ 1,334,493
Main Pump Station Consolidation	'14-'15, '15-'16	'26-'27, '27-'28	\$ 4,212,353	\$ 421,235	\$ 421,235	\$ 5,054,824	\$ -	\$ 5,054,824	
WWTP Screen Chamber	'25-'26	'26-'27, '27-'28	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ 800,000	
Black River Street Reconstruction	'14-'15, '15-'16	'27-'28	\$ 312,610	\$ 31,261	\$ 31,261	\$ 375,132	\$ -	\$ 375,132	\$ 6,229,956
Indiana Ave. Rehabilitation (South)	'27-'28	'28-'29	\$ 422,606	\$ 22,049	\$ 36,748	\$ 481,403	\$ -	\$ 481,403	
Indiana and Edgell Rehabilitation	'27-'28	'28-'29	\$ 104,817	\$ 10,482	\$ 10,482	\$ 125,780	\$ -	\$ 125,780	\$ 607,183
WWTP Settling Tanks & Equipment Replacement	'28-'29	'30-'31	\$ -	\$ -	\$ -	\$ 2,490,000	\$ -	\$ 2,490,000	\$ 2,490,000
WWTP Chemical Feed, Mech. Thickening, & Admin.	'31-'32	'33-'34	\$ -	\$ -	\$ -	\$ 3,290,000	\$ -	\$ 3,290,000	\$ 3,290,000
WWTP Aeration Tanks, Chlorine Tank, & Site	'34-'35	'36-'37	\$ -	\$ -	\$ -	\$ 3,963,000	\$ -	\$ 3,963,000	\$ 3,963,000
<b>Total: South Haven Sewer System Improvement Projects</b>			<b>\$ 11,900,232</b>	<b>\$ 934,600</b>	<b>\$ 1,187,453</b>	<b>\$ 24,565,286</b>	<b>\$ 6,394,021</b>	<b>\$ 30,959,307</b>	<b>\$ 30,959,307</b>



# Anticipated Project Schedule

**South Haven Sewer System Improvement Projects - Project Schedule for Construction**

Project Area	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Dyckman Avenue Reconstruction	X	X																						
Peterson Ravine Manhole Rehabilitation			X																					
Kalamazoo Street Phase III & Cartwright Avenue			X																					
Abell Avenue Reconstruction				X																				
Edgell Rehabilitation (East)				X																				
Kalamazoo Street Reconstruction - Phase IV					X																			
Lyon Street Reconstruction					X																			
Indian Grove Force Main Replacement (Monroe)						X																		
Monroe Blvd - Phase II							X																	
Monroe Blvd - Phase III								X																
Indian Grove Building and Controls								X																
North Shore Drive Reconstruction - Phase I									X															
North Shore Drive Reconstruction - Phase II										X														
Indiana Avenue Reconstruction (North) - Phase I											X													
Indiana Avenue Reconstruction (North) - Phase II												X												
Center Street Reconstruction													X											
Center Street Sewer Separation													X											
Option A: Main Pump Station Consolidation														X	X									
WWTP Screen Chamber														X	X									
Black River Street Reconstruction															X									
Indiana Ave. Rehabilitation (South)																X								
Indiana and Edgell Rehabilitation																X								
WWTP Settling Tanks & Equipment Replacement																		X						
WWTP Chemical Feed, Mech. Thickening, &																					X			
WWTP Aeration Tanks, Chlorine Tank, & Site																								X



# Project Plan: Schedule of Sources I



# Project Plan: Schedule of Sources II

- 2019-2022 Local Funding
  - Local Sewer Rates \$334,031
  - Special Assessments \$188,277
  - Road Funds \$512,426
  - Water Funds \$200,948
- 2022-2023 USDA
  - USDA Rural Development Loan \$5,780,000
- 2025-2026 SRF & USDA \$5,963,036
- 2025-2026 Local
  - Special Assessments \$874,108
  - Road Funds \$813,917
  - Water Funds \$532,782



# Board of Public Utilities

## Regular Meeting Minutes

Monday, May 18, 2015  
4:00 p.m., DPW Conference Room  
1199 8<sup>th</sup> Avenue



City of South Haven

### 1. Call to Order by Stickland at 4:00 p.m.

### 2. Roll Call

Present: Burr, Henry, Overhiser (ex-officio), Stein (ex-officio), Winkel, Stickland

Absent: Roberts, Rose

Also present: Lou Adamson, Matt Super, Bob DeGrandchamp, Al Dubuisson (South Haven Township and Casco Township Water and Sewage Treatment Authority)

### 3. Approval of Agenda

Henry asked if the Abonmarche presentation could be moved up in the agenda.

Motion by Henry, second by Winkel to approve the May 18, 2015 regular meeting agenda as amended:

Move Item 6, Cost of Energy from Indiana-Michigan Power Company (AEP) to become Item 5a.

Move Item 10, Abonmarche update of the Sewer System Evaluation Study to become Item 5b.

All in favor. Motion carried.

### 4. Approval of Minutes for the Record – April 27, 2015 Regular Meeting Minutes

Motion by Henry, second by Burr to approve the April 27, 2015 regular meeting minutes as written.

All in favor. Motion carried.

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

Robert Adams, 10925 Portage Road, Portage, Michigan. Stated he owns a house on Edgell Street which had an abnormally high water bill. Was billed for over 10,000 cu. ft of usage. Noted that the water was shut down in the winter.

Roger Huff: Stated that Adams has been working with staff in the Water Department and Customer Service/Utility Billing. A public works crew was sent out; the meter was not turning when they inspected it but they replaced it anyway so they could test the original meter, which tested one hundred percent (100%). "There was no leak when our crew was out there."

Burr asked if anyone pressure tested the service to see if it holds. Halberstadt said that would be on the customer side to which Burr responded, "Yes, you test it at the meter." Halberstadt pointed out that the crew would have to be able to get in the house to test the system on the customer side. Roger added that staff read and reread over a couple weeks and got normal reads. There was not any sign of a leak.

Burr said a reading of 10,000 is obviously an incorrect read/usage amount. Discussion ensued regarding the reads before and after changing out the meter. Stickland noted that the time period of the billing was not even a full month.

Burr suggested looking at the last twelve (12) months and substituting an average of those readings for the inaccurate reading. Henry noted that seems like a reasonable solution. Stickland said the usage after the abnormal read appeared normal.

Hochstedler asked who does the pressure test of the service to which Roger responded, "City staff does but we don't test past the meter." Burr pointed out that the new meter is in place; the dials are not turning; everything is shut off in the house. Burr concludes that Adams evidently does not have a leak inside the house.

Motion by Henry to use the historical usage numbers to calculate a twelve (12) month consumption average. Second by Winkel.

Discussion of estimates and actual. All in favor. Motion carried.

## **5a. Cost of Energy from Indiana-Michigan Power Company (AEP)**

- A. 2015 Billings – All Charges
- B. 2014 Billings – All Charges

Discussion ensued regarding the increase in the true-up from last year to this year. Multiple questions were posed regarding how the cost per kilowatt hour is calculated and what the increase in cost equates to in dollars. Burr stated before the board adjusts any rates we have to know what the increase is.

Stickland gave a couple of scenarios of how the rates could be adjusted to which Burr responded that the transmission fee has to be captured. After further questions and discussion, Stickland noted that the board will table this discussion until next month.

**5b. Abonmarche will present an update of the Sewer System Evaluation Study.**

Chris Cook, P. E., President/Chief Executive Officer, Abonmarche. Noted this is a new and revised presentation; new information was received and is noted in this draft. Informed that this project was a grant that funded the study to figure out what is going on with the sewer systems. The Department of Environmental Quality (DEQ) requires that a theoretical storm be modeled and tested. Explained what the data showed and did sewer televising to define whether the pipes met a certain criteria for cracks, displaced joints, root intrusions etc. which culminated into this plan. Noted this study began in 2011 and Cook expects to have it complete and ready for review by council in June before the July grant application deadline.

Cook explained why they smoke tested certain areas and the areas that were televised to find problematic areas. Combined thoughts on sewer system with the thoughts from the previous study on the Waste Water Treatment Plant. Looked at a program that might take us over twenty (20) years to accomplish but meet the goal of the city to keep the costs to about \$1M per year; some years were problematic as projects got bigger. Noted the Dyckman area has already been done. Reviewed the various years and what is budgeted for those years to be funded. Stepped through the various phased areas; noted the city would be into the late 2020s before all the work could be complete in the system and beyond that date for the Waste Water Treatment Plant.

Cook reviewed the various years and in the later years some of the projects have to exceed the \$1M per year to accomplish the larger projects. Cook also explained the benefits of combining some of the projects rather than using the pay-as-you-go approach.

Explained the Alternative Phasing beginning with Dyckman (already complete), then the Peterson Ravine and Kalamazoo Street which are budgeted for 2016. After the first segment, Abell, Edgell and Lyon at one per year for three (3) years, which are about four hundred thousand dollar (\$400,000) projects, the plan gives a few years to catch up; pay off initial debt and get ready for the next project, which would be completion of Indiana Avenue and north and south ends of Center Street. Cook noted that the center portion of Center Street is being studied at present; the city is currently putting a cap on that street that will last for the ten (10) years we need. Then the last couple of Waste Water Treatment Plant projects would be done.

Tony McGhee, Business Development Director, Abonmarche: Noted that the cost of treating the extraneous flow is higher than actually fixing the problem.

Cook noted that they have engaged a rate consultant to do a detailed analysis.

Burr requested that Cook show everyone what projects qualify for township users rates to change. Looking at the overall project map, Cook noted that the Indian Grove lift station, the main lift station consolidation and all the plant work are the projects that will affect the township rates.

Dubuisson asked how you figure out what percentage of the rate change will be city and what will be township. Cook responded that it is based on each user. Stickland commented that technically the township should share in the drain work to which Cook said, "Arguably, but the city has that budgeted, and it's only a sixty-three thousand (63,000) to eighty-three thousand (83,000) dollar project."

There were questions and discussion regarding capacity to handle the needs and Cook noted that they have built in accommodation for growth.

Super asked questions and expressed concern about the lack of budgeting in the past for these projects and the cost of the studies being conducted. Stein noted that twenty (20) years ago when the water and sewer agreement was made, the infiltration rate was much higher. "They have been working on the infiltration problem; there is funded depreciation. It is tough, at least politically, to sell putting the money aside." Overhiser noted there is funded depreciation with the water plant; it was easy to keep rates low back then; people do not want to pay any more than they have to. Stickland pointed out the differences between running a city and running a business.

DeGrandchamp and Dubuisson indicated that they like the second alternative where the projects are completed sooner. Cook noted that the cost ends up being less. Stein noted these numbers are all today's numbers. Discussion ensued regarding the costs rising in the future and the need to do these projects.

At Burr's request, Cook explained that the rate consultant has been engaged and we will have them do a sensitivity analysis of the first segment, noting that in a month or so "we hope to have the results of that. Over the remainder of the calendar year, the rate consultant will look deeper to see how this will shake out and look at what we can do to reduce the impact on the users. There will also be a commercial, industrial, residential breakdown."

Burr asked if a consensus from this group regarding the phasing of the project is needed. Stickland noted procrastination is not a good plan.

Cook explained the required steps: a public hearing where he will do a similar presentation with the addition of some environmental and other things. At that point we will look for council to adopt the plan to be sent to the Department of Environmental Quality (DEQ). July 1<sup>st</sup> is the deadline for submittals for this fiscal year; you hear in October whether you made the cut; your borrowing goes into earnest of filling out the forms to borrow for a

spring/summer borrowing. Dubuisson asked the probability of making the cut to which Cook responded, that there is a good probability; "The DEQ is looking for applications and that is not always the case."

Overhiser brought up what he sees as a missing piece: how future capacity will be handled for the township. Discussion ensued regarding the new plant construction. Halberstadt said if the city takes on debt and need to recover that debt, somehow we need to raise rates. Super asked if the townships will be on equal footing with the city. Halberstadt noted Stein and the City Manager are in discussions regarding that. Stein said we want to know if the Water and Sewer authority is in agreement to go with the second alternative plan for the funding.

Motion by Henry that the Board of Public Utilities supports the South Haven Sewer System Evaluation Study prepared by Abonmarche that the projects be broken down into three (3) separate projects over a ten (10) year period and that members of the South Haven Township and Casco Township Water and Sewer Authority were in general agreement with proceeding with this plan. Second by Burr.

All in favor. Motion carried.

## REPORTS

### **6. Cost of Energy from Indiana-Michigan Power Company (AEP)**

(moved to 5a.)

### **7. Financial Reports**

- A. Electric Fund – Financial Statement
- B. Electric Fund – Review of Percentage Billed
- C. Electric Fund – Capital Projects
- D. Water Fund – Financial Statement
- E. Water Fund – Review of Percentage Billed
- F. Sewer Fund – Financial Statement

Motion by Burr, second by Winkel to accept the Financial Reports.

All in favor. Motion carried.

### **8. Unresolved Issues Report**

Huff noted no changes in the report.

### **9. SAW Grant Project Progress Report**

**NEW BUSINESS**

**10. Abonmarche will present an update of the Sewer System Evaluation Study.**

(moved to 5b.)

**11. Public Works Director Comments**

A. Next Meeting is scheduled for June 29, 2015

**12. Board Member Comments**

Winkel: Questioned how to prevent storm water being plumbed into the sanitary sewer.

**13. Adjourn**

Motion by Winkel, second by Burr to adjourn at 6:45 p.m.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary